

*Particulars of the previous series appear at  
the end of this volume*

PROBLEMS OF PEACE  
TENTH SERIES

# ANARCHY OR WORLD ORDER

*by*

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## EDITOR'S NOTE

IN this new series of *Problems of Peace* the Geneva Institute of International Relations once more makes available for a larger public the papers delivered at its annual session.

The present volume surveys the extension of international law and the attempt to establish an effective system of collective action since the war. The survey includes an examination of the necessity for social and economic reorganization, an analysis of the prevailing trends of American foreign policy, and most valuable data on the relative strengths of the democratic and autocratic states.

Some of the contributors make available in this book for the first time the results of long investigations. Some are concerned mainly with the careful analysis of existing problems, and others discuss possible lines of policy for the future. As an entirely impartial body existing simply to promote the study of international affairs in the centre best suited to such studies, the Geneva Institute can take no responsibility for views expressed in these papers, but its thanks are due to all contributors. Their work has made it possible to produce a book which cannot fail to interest every reader who is concerned with the choice of those broad lines of policy which may determine whether we are to move towards an era of greater international anarchy or of world order.





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## CHAPTER I

# INTRODUCTION

by

FRANK P. WALTERS

*Under Secretary-General of the League of Nations*

IT was a pleasure to me to have the opportunity of welcoming the Geneva Institute of International Relations to the League of Nations Secretariat.

It means very much to us who have the great good fortune of working for the League that there are so many people willing to make this sacrifice of their holiday time to come and work in Geneva.

It is true that the words League of Nations are not to be found in the titles of the lectures. International Public Order—World Order—the Collective System—are there. But I am sure you will find that the study of these things is in effect the study of the League. From a theoretical, and even from a sentimental, point of view, distinction is possible. Practically, they are the same thing.

For I should like to suggest one thought which may remain in your minds, and that is that in our time terms such as World Order and Collective System can, for practical purposes, mean only the order and the system written in the Covenant and embodied in the League.

I don't mean by this that the League system cannot be modified and improved. But I do very definitely mean that the only way in which it can be modified consistently with *any* World Order or with *any* Collective System is by the means that the Covenant itself provides, that is by formal



amendment of its provisions or by supplementary treaties which are not inconsistent with it.

Still less do I mean that no change is possible in the existing situation of individual States, whether as regards their frontiers, their share of the world's economic resources, or their expansion as colonizing or mandatory powers. But I do mean that if the method by which such changes are brought about is contrary to the Covenant, it must also be contrary to anything which can reasonably be called a World Order.

When people speak of the Collective System they think as a rule not only of the Covenant but of other treaties, such as Locarno and the Treaty of Paris. Such treaties may be a valuable addition to the Covenant. But it is illusion to imagine that without the Covenant they could constitute a new form of Collective System. If the Covenant were to disappear, those supplementary agreements would inevitably disappear with it, or would become utterly ineffective.

No Collective System can function without a written Constitution, statutory meetings at regular intervals, and a material centre. These essential features were provided in the Covenant, in spite of the difficulty of reaching international agreement in regard to them, because of the enormous pressure exercised by war conditions on the Governments and on public opinion. It could not be done again in any future to which we can reasonably look forward. It is possible, therefore, though it is difficult, for a thinking man to declare himself against any Collective System; it is impossible for him to declare himself in favour of a Collective System in our time but against the League, because that is not within the limits of the practical choice offered to the present generation.

The Covenant, then, must be regarded as the dominating

fact of all discussions on the Collective System at present and in future. If we could take a bird's-eye view of human progress since history began, we should see it as consisting in one aspect of the development of the rule of law, that is to say, of the effective combination of organized force, on the one hand, with, on the other hand, the formulated expression of the common convictions of what constitutes justice at any given time; the combination, in other words, of Might with Right. This development is perhaps the most important of all aspects of human progress as being the essential condition of the other main lines of progress, whether in material conditions, I think, in morals or in art. Such was Plato's view when he invented the constitution of his Republic as a pre-condition of the search for righteousness. Our generation, which is attempting for the first time to set up a working Collective System, is thereby entering into a fresh stage in this development.

In the story of political evolution, certain moments stand out in which the slow advance of the human conscience is crystallized in a single historic document. They represent an advance to a new high level—a level that could not always be maintained, but remained as the ideal which later generations tried to get back to, until it was passed by and became the starting-point for the next advance. The men whose names are associated with such moments were not perhaps greater than other men, but they were made great by the inspiration of great events. In this sense at least it is no exaggeration to say that the founders of the League were inspired, and that the Covenant they drew up will rank in history with Magna Charta or with the Declaration of the Rights of Man.

Like those documents, the Covenant crystallizes a moment

in which Right has got ahead of Might. The law has not yet got the full weight of public opinion behind it, still less has it control of adequate organized forces. It seems certain that these will come in time and that a rational World Order, functioning with none of the doubts and difficulties of the League, will be accepted by every State. To doubt this would be to belie the essential character of the whole development of human history. But the study of this World Order must take account of practical possibilities, if it is to be more than theory. It must set before itself the concrete aim of bringing together Might and Right, that is bringing public opinion, and the material power which it eventually controls, to the effective support of the League. For this purpose, you have two main lines of approach: you can seek a means of developing the League system so as to make it more deserving of support; or you can seek to convince the present generation that its hope of safety and happiness for itself and its children lies in making the League system work effectively. Or you can try both methods at once, though it will be wise to concentrate on the latter, for, believe me, the Covenant will prove a highly effective basis for International Public Order if only its provisions are loyally carried out.

GENEVA

19 August, 1935

## CHAPTER II

# INTERNATIONAL ANARCHY

by

R. B. MOWAT

*Professor of History in the University of Bristol*

### i. *Historical Antecedents of the League of Nations.*

THIS is a subject easy to handle, but most difficult to seize in respect of its essential realities. It is easy now in so far as the approach to it has been cleared by numerous thinkers and observers, statesmen and scholars, who were among the finest minds of their time. Such were Henry IV of France whose Grand Design (or the Grand Design ascribed to him by Sully) was a draft convention for the Federation of Europe. After Henry IV comes a long succession of master minds who deplored the international anarchy of their day and some of whom, at any rate, had a reasonable plan for dealing with it: Grotius, whose system of international law was wrung from him by the terrible spectacle of the 'Thirty Years War'; Rousseau, citizen of Geneva, whose commentary on Saint-Pierre's project is one of the best pieces of pioneer work for the League of Nations; the Abbé de Saint-Pierre, whose book was read by all the benevolent despots of the eighteenth century; Kant, whose powerful mind made short work of the absurdities of Bonapartism and offered instead of perpetual bloodshed a Project for Perpetual Peace; numerous statesmen, Alexander I, Metternich, Castlereagh, Louis Napoleon, Woodrow Wilson, Stresemann, Briand, Smuts. It seems that the list is going to be inexhaustible as century

passes into century, and that the world will never lack martyrs to a cause which has all the charm and all the anguish of an endless adventure.

## ii. *The Case against Anarchy.*

No one has put the case against the anarchy between States so clearly, so compellingly, so insistently, as Sir Norman Angell, whose relentless analysis exposes every prejudice and confutes every fallacy of the Chauvinists, Jingoës, Die-hards, and all the other ancient yet evergreen votaries of unreason, high and low.

With all this cloud of witnesses behind us and around us, there are probably few intelligent people who are unconvinced. It is the easiest thing in the world now, after the tragic experiences of the last twenty years, to prove that nations, like individuals, get nothing but suffering from isolation and opposition, and nothing but good from friendliness and co-operation; and that the anarchy between States offends against every law of morality, reason, and common-sense. When the King of Brobdingnag told Lemuel Gulliver that he estimated far above the great captains and conquerors the man who made two blades of grass grow where only one grew before, there was no answer, because, once stated, the truth was patent. And the most popular book for the leisure hours of statesmen seems to be Voltaire's *Candide*, that delightful narrative of a journey round the world, ridiculing with unexampled power of wit, irony, satire and passion, the absurdities of the international anarchy.

It is true that one highly responsible contemporary statesman of a Great Power has put it on record that he deliberately believes, in principle, that international anarchy is a good thing:

'Fascism, the more it considers and observes the future and the development of humanity, quite apart from the political considerations of the moment, believes neither in the possibility nor the utility of perpetual peace.'<sup>1</sup>

The author of this uncompromising declaration, however, seems to stand alone. On the other hand, it would be easy to collect a series of equally positive professions of faith from contemporary statesmen, and not the least from Herr Hitler, who has expounded in an admirable series of public pronouncements the truth that the wars of continental Europe have involved the participants in losses out of all proportion to their gains, and that, however unsatisfactory the territorial system, a future war could only make it worse. To Mr. Baldwin, whose speeches on external affairs are always distinguished by the spirit of thoughtfulness, tolerance, and good sense, it is 'intolerable' that two thousand years after the coming of the Christian message, statesmen should have to spend their energy in elaborating schemes for warding off savage destruction from their country; and in another speech he declared that the things he had to consider and make decisions about made him feel positively sick.

### iii. *Reasons for the Persistency of International Anarchy.*

It has to be admitted that enlightened criticism—which almost everybody in their cool moments admits to be self-evident—of the international anarchy has failed. The international anarchy is absurd and atrocious, and yet it exists, and at certain periods, for instance the present age, seems to increase with the progress of science, of education, in a word with the progress of what is generally considered

<sup>1</sup> Benito Mussolini in the *Enciclopedia Italiana*, translation in *International Conciliation*, January 1935, p. 7.

to be civilization. There must be some very cogent reasons for this; and, as mankind is not as a whole mad and wicked, but on the contrary for the most part sensible and decent, some of the reasons for the persistence of the international anarchy must be worthy of sympathy.

Everybody probably agrees in holding that the anarchy between States is the result of two things: unrestricted state-sovereignty, and national self-interest. Other, additional causes can be suggested or detected, but in the final analysis it seems that they can all be reduced to these two things.

The conception of unrestricted state-sovereignty, though it did not exist in the Middle Ages, has a fairly long history, has in the course of the last five hundred years, entered into the soul of the Western nations, and has been recently learned from them in the most whole-hearted manner by Oriental peoples. State-sovereignty, accordingly, is now a thoroughly well-established concept, based on very powerful agencies: on the habit of five hundred years of national life, national education, national politics; on the satisfaction which it affords to the thwarted personality of the individual citizen who finds in state-sovereignty a principle of energy and the compensation for his sense of personal insignificance; and lastly, on pride in social achievement, state-sovereignty being the proof and the guarantee of the worthy place in the world's life and work, occupied by a whole people. And although probably every intelligent person, and particularly the open-minded Englishman and American, is a little aroused at other people's insistence on sovereignty, nobody thinks that there is anything unreasonable about his own State's sovereignty; and no more there is, from his point of view.

The second prop of international anarchy—state-sovereignty being the first—is national self-interest. This is rather

a base thing compared with the concept of state-sovereignty; for everybody objects to the whole-hearted culture and pursuit of self-interest in an individual and they do not really defend it now in nations. In a sense this disclaiming, at any rate in theory, of national self-interest by all nations marks a step forward to international morality. But this step in advance is at once checked by the capacity of every nation for self-deception or for being deceived, the capacity by which it persuades itself, or allows itself to be persuaded, that what used to be called the naked pursuit of self-interest is really a mission or an inescapable necessity. Whenever any people—and all the Great Powers furnish examples of this—through its representative men begin to talk of a national mission, they are at least in danger of falling into the most horrible hypocrisy.

‘What should be attacked above all, writes the great teacher and philosopher, Benedetto Croce, is the idea itself that nations are charged with peculiar missions. For nations, like individuals, have no other mission than that of living their lives as human beings, that is, as idealists, acting in accordance with the conditions and opportunities which present themselves, and continuing to direct their gaze from earth up to heaven, and from heaven down to earth.’<sup>1</sup>

No age of the world's history is without virtue and meritorious achievement, yet every age seems to have some particular error to which it is prone: in one century it is superstition, in another intolerance, in a third profligacy. The particular error to which the present age is prone seems to be that of tampering with the truth and saying the thing which is not.

<sup>1</sup> B. Croce, *A History of Italy* (trans. Ady, 1929), p. 4.



Yet although the pursuit of national self-interest—which in at least nine cases out of ten is all that an alleged national 'mission' amounts to—is the final analysis recognized as morally indefensible, it is not due simply and wholly to human acquisitiveness. There are good and bad elements in every nation; and there is a natural tendency in each nation to take it for granted that the good elements will always predominate in itself, but that there is a danger of the bad elements predominating in its neighbours. For this quite intelligible reason everybody in each nation tends to believe that its self-interest at any rate will always be on the side of right. It has to be borne in mind also that the nations of the world are at various stages of civilization, and accordingly have attained to very different levels of international morality. Finally, differences of language—the Tower of Babel—interpose a definite curtain between the minds of the peoples of the world, and impede their progress towards mutual understanding and helpfulness.

iv. *The Remedy—the case for Freedom.*

For these international ills—the exaggeration of state-sovereignty and of national self-interest—there appears to be only one cure, but it is slow and to many people just now (strange as it may seem) distasteful. The cure is freedom, the personal freedom of the individual. Mr. Baldwin said in one of his speeches on foreign affairs that peoples and Governments were now particularly sensitive—morbidly sensitive perhaps would be more correct—about their 'status'. Now sovereignty is in international life the hall-mark, the proof, the sign of status. The really free man, however, does not worry about his status. He just takes it for granted; and the really free people and their

Governments take this tranquil view of status too. Switzerland is a sovereign state, with a proud people, but you will search Swiss history in vain for mystical assertions of Switzerland's status and mission; for the Swiss are collectively and individually a free people. Nor need freemen look for satisfaction for thwarted personality to an exaggeration of assertion of state-sovereignty and to a continual asseveration of the unique greatness of their country's achievement; for if they are free they will not have thwarted personality. Their view of national self-interest will fall into perspective with other interests; and if all the world were free, peoples would more nearly approximate to a high level of civilization, and even differences of language would, under conditions of freedom of movement, of expression, of domicile, tend, not of course to disappear, but to be bridged.

But, as every one is only too acutely aware, democracy, and with it personal freedom, has been severely circumscribed and seriously diminished in the last fifteen years. This is Europe's crisis: not the economic depression, not the rearmament movement, not the currency chaos, but just the loss of freedom or, as it might be called (because it almost looks like a voluntary sacrifice), the flight from freedom.

This contemporary flight from freedom is all the more remarkable because the whole of the previous, the nineteenth, century was, as Benedetto Croce has shown in his illuminating *History of Europe*, a progress to more and more nearly perfect freedom. M. André Siegfried, in a book called *Europe's Crisis*, has drawn a delightful picture of Europe at the end of the nineteenth century. Everything was stable—Governments, tariffs, currency. Everybody, except in one or two countries, could say what he pleased, go where he pleased, and, within very wide limits, do what

he pleased. 'Economically, in spite of tariffs, the world was one—a great mercantile republic—and 'over it reigned that great British institution, Fair Play'. M. Siegfried adds:

"Transportation did not move with lightning speed as it does to-day, but travel was regular and made very easy by allowing complete personal liberty. Although we did not realize it, emigration moved practically unchecked, and so far as ordinary passengers were concerned, passport formalities were reduced to a minimum, indeed were almost non-existent. When I went round the world on the eve of the Paris Exposition of 1900, I did not have to produce my passport once."<sup>1</sup>

It is scarcely necessary to mark the contrast between that liberal age and the present servitudes and limitations. No better brief description of the present malady has been given than that of M. Joseph Avenol, when he first visited England as Secretary-General of the League of Nations. In an impressive address, he pointed out that whereas there had previously been something like a general, or European public opinion, now there were only public opinions. Governments were laying violent hold on the public opinion in each country, were directing it, stimulating it, exciting it, and turning it into a whirlwind of sentiment, emotion, perhaps prejudice, based on such information as Government thought it should have. And these national public opinions, which M. Avenol likened to whirlwinds, stopped short at the frontiers. Outside information, outside opinions, were not allowed to come in. Thus the national public opinions were like a lot of whirlwinds, each raging separately within a frontier of its own.

What a contrast between the calm world of 1900 where

<sup>1</sup> A. Siegfried, *Europe's Crisis* (trans. Hemming, 1935), p. 46.

people, goods and opinions circulated so easily, and this world of 1935, where every State is reviving the suspicion, and inhibitions of the medieval parish. 'The miserable Europeans,' writes M. Paul Valéry, justly regarded as a modern classic, 'have preferred to play Burgundians and Armagnacs to taking up all over the earth the grand rôle which the Romans knew how to play and maintain for centuries in the world of their time.'<sup>1</sup>

v. *Twentieth Century Decline of Democracy and Re-emergence of the Authoritarian State.*

This reversion to medievalism in Europe has been intensified by the decline of democracy and by the re-emergence of authoritarian or dictator States. For, although dictator Governments do not seem to distrust democratic States, democratic Governments undoubtedly distrust dictator States. One reason for this is the secrecy which is a regular feature of dictatorship. Democracy is government by discussion, and although it is not always completely open to the public, there is never really much obscurity about what a democratic Government wants and thinks. But conditions are quite otherwise with dictatorships. The dictator keeps his own council, and he is hedged round and walled off by officials in a way that no democratic statesman is or can ever be. 'It is notorious,' said Mr. Baldwin, in one of his speeches on armaments, 'that it is much more difficult to get into touch with a dictator than with the statesmen of a democratic Government.' The dictators on their side, of course, know that they can always find out the intentions of their democratic neighbour, and so they find no difficulty in contemplating association with him; but the

<sup>1</sup> P. Valéry, *Regards sur le monde actuel*, pp. 48-49.

democratic Governments are apt to be suspicious of such approaches. They prefer their friends to be democratic too.

The difficulty of the association of democratic and authoritarian States is, of course, nothing new. Imperial Germany and Great Britain were unable to make an *entente* in the late nineteenth or early twentieth centuries, but France and Great Britain came to an understanding with surprising ease. It is true, on the other hand, that Republican France and Tsarist Russia made an alliance, but they were a long time in making it, and throughout the duration of the alliance they were uneasy colleagues. Nevertheless, the history of Europe in the nineteenth century proves that States differing profoundly in constitution can associate together, and that serious revolutions, like the union of Italy, the making of Germany, and the American Civil War, could occur, without breaking the general peace, and without throwing international politics into disorder. To-day conditions are very different from this. If a revolution occurs to-day, or a local war is threatened, the whole world falls into a panic, and disorder runs like a fire through international affairs.

Professor Zimmern has put forward an interesting argument to account for the relative tranquillity of international affairs in the nineteenth century and their extremely sensitive and disturbed condition to-day. The British Navy, by maintaining unchallenged command of the sea, formed the stable frame within which local wars and revolutions could take place without disturbing the 'system'.<sup>1</sup> The dynamic statesmen—the Cavour and Bismarcks—could make their plans and calculations, could overthrow ancient monarchies and established States, knowing that all the time the seas

<sup>1</sup> A. E. Zimmern, *Quo Vadimus?* (Oxford University Press, 1934).

would be kept open, that goods would be exchanged, and that commerce would be transacted, under the ceaseless patrol of the British Navy. For a Navy, of course, cannot be an aggressive engine in the hands of a Power with a small army. It can only be defensive, in effect, a police force. The British Navy was the international police of the nineteenth century.

It is an attractive picture, particularly for English readers, though probably a good many Continental readers, too, would agree that it was not overdrawn. Anyhow, the picture cannot be applied to the contemporary Age. The British Navy no longer commands the seas, no longer can guarantee to keep open all the trade-routes for all the world, whatever disturbances may break out in any locality. With the passing of the supremacy of the British Navy, the *riveting* appears to have dropped out of the world.

Another argument, to explain the solidarity of the nineteenth century and the dislocation in the twentieth, has been put forward by Senior Ferrero, one of the distinguished professors in the Geneva Institut des Hautes Études Internationales. In the nineteenth century and down to the World War, writes Senior Ferrero, there was an 'International of Monarchs'. The European monarchs were a royal caste, all familiar with each other, all experienced in high politics, all imbued with a traditional understanding not only of their countries' interests, but of the interest of the monarchical caste. This International of Monarchs did not ensure permanent good relations throughout Europe, but it did function, more or less successfully, from 1815 down at any rate to about 1890, probably later. It is well known that it intervened actively, for instance, to prevent an attack from Germany upon France in 1875. But the

progress of democracy diminished the international influence of the monarchs; and the World War brought it to an end. Many monarchies disappeared altogether. Nobody would now pretend that the European monarchs can act as a kind of board of peace-keepers over the troubled Continent and its often unreasonable peoples.<sup>1</sup>

With British Naval supremacy gone; and the International of Monarchs gone; and the Concert of Europe—so far as there was one—utterly ruined and destroyed by the Great War, there is only one thing which affords the slightest hope of mending the international anarchy, and that one thing is the League of Nations.

Nobody should be apologetic about his faith. Yet the adherents of the League of Nations, if such an expression may be used, are apt to be a little diffident when they speak for the League; and the League suffers from this attitude, although their diffidence has no other ground or justification than lack of knowledge. Yet it may be declared in ninety-nine cases out of a hundred, that if any person is heard decrying the League, he will be found to be someone who has never been to Geneva, and probably someone who has never even read the Covenant. There is, indeed, one great exception to this sweeping statement. The masterly book of Max Beer called *The League on Trial* is the work of a mind which goes unerringly to the weak points. But from really well-informed critics—who are very few—like Herr Beer, the League has nothing to fear. It thrives on real knowledge and genuine criticism.

This at any rate may be said, that in the League appears to be the only means of transcending the division of the

<sup>1</sup> G. Ferrero, 'La Disparition du Système monarchique' in *L'Esprit International*, January 1929.

contemporary world into authoritarian and\* democratic States. The essential quality of the League is that it is universal. Not every State is in it, but it is open to every civilized State. The Covenant recognizes no distinction between States in so far as concerns their constitutions. Doubtless President Wilson thought of the League as a union of free, democratic States, but fortunately it was not constructed on the basis of any such sectarian membership. For the League enshrines in the public life of nations the grand principle which was one of the contributions of the eighteenth century to politics, that is tolerance. Within the League there is neither Jew nor Christian, bond or free, for all States-members associate on the basis of their common humanity, common civilization, and of their loyalty to the one supreme condition of active life—whether it be private or public life, national or international—namely, justice. Albert Sorel, one of the greatest thinkers among French historians, has shown in *L'Europe et la Révolution Française* how the splendid political structure of eighteenth-century Europe crashed because the benevolent despots of that age subordinated justice to state-interest, *droit to raison d'état*. The magnificent international structure of the twentieth century, for which Wilson and Briand and Stresemann gave their lives, is designed for one end simply, the maintenance of justice. A historian may even go so far as to assert that the peoples who engaged in that gigantic civil struggle called the Great War did so in the hope and belief that when the trials and sacrifices were over justice would reign over the world. If anybody were to cast up the profits and the losses for his State accruing from centuries of the pursuit of selfish state-interest, he would be surprised at the meagre results; and he would be shocked when his



analysis showed him the World War as an item in the reckoning. We are still suffering from the World War. The account is not yet closed, and cannot be closed until all Governments see their duty in supporting the League of Nations, which was designed for the liquidation of the World War and of all war. Only through League methods can the account of the World War be closed. As Signor Mussolini declared over one of the World War legacies: "It is time that the word *finis* be written over this tragic balance-sheet, founded on the blood of ten million young men.'

CHAPTER III  
THE ELEMENTS OF WORLD ORDER

by  
W. ARNOLD-FORSTER  
*Author of 'The Disarmament Conference', etc.*

i. *Introduction.*

WHAT are the indispensable elements of a peaceful world order? In particular, what conditions are necessary for making the outlawry of war really effective?

An answer to these large questions may serve as a preface to the papers which follow, by recalling how their various subjects are all interlocked.

I am taking it for granted that every one of you passionately desires a peaceful world commonwealth, founded on social justice, and that your country shall play a leading part in its building, accepting the drastic curtailments of national sovereignty which it involves.

I shall not stop to argue that, in this world of modern weapons, communications, and commerce, national isolation is a futile, as well as an anarchic, policy: for I assume that you realize vividly that the nations living together on this contracted earth must learn quickly to live as good neighbours. I shall not spend time over the point that plenty lies at our feet, and that if only we can collectively master the political and economic anarchy, and establish certain elementary standards of social justice, then we can tackle the infinite task of learning to put nature's resources and man's capacities to the best use for the general advantage.

In short, instead of leading up to the conclusion that we

must evolve some kind of world unity, that will be the premise from which I start. It is a large assumption.

## ii. *The Elements of World Order.*

First, let us ask ourselves what are the essential elements of a peaceful world order; and then let us briefly consider how far these essentials, or some of them, are being realized. No individual, no single generation even, can hope to outline a complete picture of what the world commonwealth will find essential a generation hence; but there are some simple elements which can be safely postulated. I will name seven: the titles may serve as chapter headings for our discussion. They are:

1. Renunciation of war.
2. Organs of international co-operation and world government, and a code of peace-keeping.
3. Collective action to organize peace and promote social justice.
4. Peaceful settlement of disputes.
5. Peaceful change.
6. General disarmament.
7. Collective action to prevent and stop breaches of the code of peace.

## iii. *The Covenant.*

All these seven elements of a future world order were considered by the authors of the Covenant. But the Covenant does not provide completely for any of them. Its authors did not try to make a blue-print of the completed structure of a world commonwealth; their purpose was rather to include those elements which were immediately necessary for the beginning of the enterprise and which might receive adequate support in a world devastated by the injuries

and passions of war. If their Covenant were to be treated legalistically, labelled like a packet of seed but left on a shelf in the gardener's shed, then it would never grow up; but if it were sown and watered, manured and pruned, and if it escaped devastating changes of climate, then it would duly grow into a robust and shapely tree.

Looking back at the work they did in 1919, we may think that the Covenant's authors were too optimistic. Economic depression, and the failure to make use of the peace system started by the Covenant and by the Charter of the International Labour Organization, have created a situation in which tyranny and militarism have their deadly chances. When the world was sick of war in 1919 it seemed natural to assume that all the nations would continue to be willing to pay a high price for peace. It was assumed that the United States with its vast power and relatively detached point of view would be a Member; though the authors of the Covenant could see in Russia only a terrifying enigma. It was assumed that some elementary standards of liberty and social justice would be maintained in the Europe where they had been won through many centuries of effort: it was not foreseen that in countries with ancient traditions of justice, the dictates of a political party might replace the rule of law or that extreme racial and religious intolerance might be encouraged by States. The seed of the Covenant has not been well tended by some of the Governments chiefly concerned, including the British. And now, when the armaments race is more perilous in character and more lunatic in pace than ever before, when two Great Powers have left the League and a third is challenging it, when trade between nations is shrunken to less than half what it was a few years ago, and when principles of freedom, justice, and

mercy are repudiated by the worshippers of the absolute Sovereign States—at this time, we may well ask whether the authors of the Covenant did not miscalculate their problem. I do not think so. -

But let us review what has happened. I will take first the fundamental question of renunciation of war

#### *iv. Renunciation of War.*

If a peaceful world order is to grow, there must be a free, informed, and powerful will for peace among the peoples, and an unequivocal renunciation of the war method, embodied in formal obligations binding on the Governments. The renunciation should be universal; it must be loyally accepted by States which command preponderant power.

The Covenant does not fully renounce war. President Wilson, at an early stage in its preparation, envisaged a system in which the right of war would be wholly excluded: but the Covenant itself is less ambitious. League Members may 'in no case' resort to war until they have at least tried peaceful procedure: in no case may they destroy the territorial integrity or political independence of other Members: in no case may they go to war about a dispute after having submitted it to arbitral judgement: and in no case may they go to war against a State which accepts a report upon a dispute about which the Council is unanimous. If, however, the Council fails to reach unanimity in such a report, then disputants recover an ultimate freedom to fight, so far as the Covenant is concerned, after three months' further delay.

Thus the Covenant, like the Bryan Conciliation Treaties before it, renounces wholly the right of immediate war: it renounces the right of ultimate war in certain cases, but not in all. Whether the authors of the Covenant were wise

to leave this famous 'gap in the Covenant' is a question I shall not discuss; but I want to remind you of the extraordinary persistence and variety of the efforts made ever since the Covenant was finished, to close that gap.

Two views have been in conflict. On the one hand are those who hold that the ultimate threat of war must be retained. This is defended as a means of stimulating the satisfied Powers to consider seriously the demands of the dissatisfied Powers for change of the *status quo*. It is defended also on the old militarist ground that war is still what it was to Clausewitz—'the supreme instrument of national policy'. Mussolini, in a famous apology for Fascism in the Italian Encyclopaedia, has expressed this doctrine with helpful candour:

'War alone brings up to its highest tension all human energy and puts the stamp of nobility upon the peoples who have the courage to meet it. . . . Thus a doctrine which is founded upon this harmful doctrine of peace is hostile to Fascism.'

Herr von Papen, General Araki, and others have been equally frank.

This conception of war as a legitimate instrument of change is not confined to the rulers of Fascist Italy, Imperialist Japan, or Nazi Germany—it is endorsed, with more or less camouflage to make it look respectable, in many other quarters. Lord Rothermere's newspapers applaud the use of war by Japan and Italy as the instrument of a civilizing mission. And the idea of war as a legitimate means of change still permeates the thinking of many who appear in the service of peaceful order; those, for instance, who made play with the word 'dynamic' in finding justifications for Japan's invasion of Manchuria, and those who argue that

we must prevent 'unreasonable' changes from being effected by war.

On the other hand, there are those who maintain that war is always a collapse of civilization, not a means of defending or extending it; that war may create a flux out of which new conditions may be shaped but that it inevitably creates a temper and a situation in which the wise use of new opportunities is most difficult. They hold that those who find justifications for modern war as an instrument of freedom, democracy, justice, and economic advantage, are deceiving themselves as blindly as those who fought the 'wars of religion' in the name of Christ. They emphasize that war now is utterly different in character from war in the days of Napoleon; and that, faced by the prospect of extermination of great masses of population, we must brand war as a crime against humanity and no longer the subject of rights between States. Some of those who have held this view have shown too little recognition, I think, of the truth that peace must be made desirable if the prevention of war is to be made secure. But I must return to that later.

#### *v. The Struggle for the Outlawry of War.*

Let us now briefly review the struggle, since the Covenant, between these two policies—one in favour of retaining war as an instrument of change, the other in favour of complete outlawry of the war method. The ink on the Covenant was hardly dry before there began an effort to narrow what still remained of the right of war. The jurists who drafted the Statute of the Permanent Court in 1920 unanimously recommended that States adhering to the Court should accept its jurisdiction as obligatory in all their disputes of a legal character. That proposal was rejected at the instance of

Britain and France: but the Optional Clause, whereby States adhering to the Court might commit themselves in advance, to accepting its jurisdiction, emerged from the discussion; and to-day forty-four States, including Britain, France, Germany, and Italy are bound by that Clause.

In 1922 came the Washington Treaties, based upon a renunciation of the war method by a group of Powers in the Pacific area.

In 1924 came the Geneva Protocol, which would have involved a complete renunciation of war, a complete acceptance of pacific settlement of disputes. That was rejected by the British Government.

But the impulse towards the outlawry of war could not be dammed up; it was merely diverted. In the years that followed, a great number of pairs of nations, in the absence of a multilateral treaty, made bilateral treaties providing for all-inclusive pacific settlement of disputes between themselves. Italy was a pioneer in this effort. The Locarno Treaties were part of this series. Soon the situation became absurd; treaties multiplied so that the network of arbitration treaties was like a spider's web. In 1927, Nansen tabled proposals for a multilateral treaty of pacific settlement, and this finally took shape in 1928 as the General Act. The Conservative British Government at that time was opposed to the principle of compulsory arbitration and would have nothing to do with the Act; but the Labour Government which succeeded it reversed this policy, and to-day the General Act, providing for pacific settlement of all kinds of disputes, legal and political, has been accepted by some twenty States, including Britain, France, and Italy. The acceptance of this Act, like the acceptance of the Optional Clause, has however been qualified by reservations of



considerable importance. In 1928, besides the General Act, we saw the most widely signed Treaty of the lot, the Kellogg Pact. Practically all the nations of the world formally renounced war as an instrument of national policy and bound themselves never to seek a solution of their disputes except by pacific means. We may fairly regard that as a great contribution to a new social ethic about war, and towards closing the gap in the Covenant.

But if any one ever supposed that the Kellogg Pact had effectively 'outlawed' war, they must be disillusioned now. Since the Pact's signature, we have seen a war of conquest in Asia, and a 'singularly pitiless and horrible' war in South America. We see Germany refusing to accept the principle of non-aggression in relation to her neighbour, Lithuania, and Italy preparing for a war of conquest in Abyssinia. The Powers of the Little Entente have used the threat of war as a means of preventing the Habsburg succession in Austria. And yet all the Powers concerned are pledged by the Pact never to seek a solution of their disputes except by pacific means.

What is the main conclusion to be drawn from these depressing facts?

I suggest that the most important conclusion is this: that the renunciation of war cannot stand if it has to stand by itself; it must be coupled with the other items in the programme of world order which I enumerated.

#### vi. *Collective Organization.*

There must, firstly, be provision for regular conference in time of crisis; secondly, some recognized authority to judge whether the crime of resort to war 'as an instrument of national policy' is being threatened or committed; and

thirdly, some agreed code for safeguarding peace. All the States adhering to the Pact ought to participate in this tribunal. Mr. Kellogg himself emphasized that this Pact involved no renunciation of the right of self-defence. 'Every nation,' he said, 'is free at all times, regardless of treaty provisions, to defend its territory from attack or invasion. It alone is competent to decide whether circumstances require recourse to war in self-defence.' In other words, each State must retain a *self-judged* right of self-defence. But Mr. Kellogg recognized that such a self-judged right would knock a hole through the Pact and the Covenant. Belligerents always manage to claim that they are fighting in self-defence—if not of home territory then of home interests in 'certain regions of the world'. So Mr. Kellogg recognized that some external tribunal was essential, if the Pact were not to be stultified. 'A nation claiming to act in self-defence,' he said, 'must justify itself before the bar of world-opinion as well as before the signatories of the Treaty.' 'The tribunal of public opinion' would have to serve this purpose, for the United States would not yet accept any 'world tribunal' 'to decide when a nation has violated its agreement not to go to war.'

The United States Government quickly realized that the Pact would be a pious fraud if no provision for conference in times of crisis were accepted. Accordingly, in some of the South American crises the United States Government collaborated closely with the League. In the Far East crisis, we saw the United States observer half in and half out of the Council's discussions: we then saw the United States giving a lead to the League: we saw the United States promptly associating itself with the League's resolution of February 1933 condemning Japan. In May 1933, and

again in May 1934, we had the statement of Mr. Norman Davis, that in the event of a Disarmament Convention being concluded, the President would make a declaration pledging the United States to confer with its fellow signatories of the Pact in time of crisis, and undertaking that, if after such consultation the United States concurred in the action taken in restraining the aggressor, it would do nothing to defeat the League's sanctions. That offer has not yet been formally endorsed; a Disarmament Convention has not yet been concluded: and probably our American friends will tell us that the prospect of early endorsement should now be heavily discounted. But if a collective peace system does survive present ordeals despite the absence of the United States, the United States will, I believe, be compelled by its interest in the Kellogg Pact to accept some regular system of conference in time of crisis. And if a substantial instalment of a real Disarmament Convention is accepted, the United States will presumably be willing to participate in some such system of collective supervision of the treaty, and of the arms trade in particular, as was proposed in the admirable Arms Treaty plan which we owe to the American delegation.

I will only add that even the acceptance of a system of conference, as a means of working the Kellogg Pact, is not enough. There must also be a code and technique of peacekeeping and a continuous co-operation for the organization of peace.

#### vii. *Organizing Peace.*

The world commonwealth, even in its rudimentary state, ought to become able to render such valuable services to its Members that they will not be able to afford to forfeit the advantage of Membership.

As the Charter of the International Labour Organization emphasizes, the cause of peace is tied up with the cause of social justice and economic welfare. I want to see not more talk about 'world loyalty', 'the great society', 'peaceful commonwealth', but more money spent and more constructive action taken with the pooled resources of the world for the eternal struggles against poverty, against malaria, cancer, and the denial of certain elementary human rights. It makes me sick to hear that the League's expenditure on the relief and settlement of refugees is being cut down for reasons of economy, impatient when I think what we are missing through delay in organizing civil air transport as an international service. If we were to spend collectively on expanding the international services what one nation spends on building one cruiser, we should be contributing far more to a true 'pooled security' for each individual than we can realize.

I need not remind you that the United States, as well as the Soviet Union, is now an active Member of the International Labour Organization, besides co-operating in various humanitarian activities of the League.

*viii. Peaceful Settlement of Disputes.*

The Kellogg Pact is often referred to as if it bound its signatories to settle their disputes by peaceful means. It only binds them never to seek a solution by other than peaceful means; it does not rule out what may be called the right of deadlock. If confidence in the renunciation of war is to grow, there must be provision for peaceful settlement of those international disputes which cannot be settled by normal diplomatic methods. And if aggression is to be reliably distinguished from 'legitimate self-defence', there

must be some workable test of aggression. The Protocol laid down the principle that that State should be presumed to be an aggressor which refused to accept pacific settlement of its dispute and resorted to war. That principle remains the best contribution to the solution of the problem of defining aggression. No simple definition can work infallibly by itself; there must be an international authority, able to use it with discretion and to supplement it by action to prevent aggravation of the crisis.

But the principle of third party judgement must be accepted if this peace system is to work, and accepted *in advance*. Those who shirk the implications of peace-making argue that their country cannot commit itself in advance to accept third party judgement, but must be trusted to do the right thing when the time comes. To-day, such an attitude does not deserve the name of prudence; it is merely anarchic.

I need hardly remind you that the country which was a pioneer of arbitration, the country of Franklin and Jay and Washington, the country which arbitrated the Alabama Case and the Oregon boundary—the United States—is at present in the extreme rear of this movement, without a single arbitration treaty involving unequivocal acceptance of third party judgement, and without membership of that Permanent Court which owes so much to American inspiration.

#### ix. *Peaceful Change.*

It is astonishing how many Englishmen and Americans who sincerely believe in the policy of renunciation of war shut their eyes to its connexion with this great problem of peaceful change. In particular, we ought to help in debunking the old Kiplingesque ideas of the justification for national possession of colonial territories. Great Britain might contri-

bute to this by, for example, the transfer of Cyprus to Greece, with appropriate guarantees; and by promoting an international regime for certain strategic points such as Gibraltar and Suez, when the League is strong enough. But it is not by any such transfers of sovereignty over particular territories that the main need, the need for equality of economic opportunity, should be met. We want not more nationalism but more economic internationalism; a reduction of trade barriers and restrictions will be of much more service than any transfer of flags. Britain has the largest share of responsibility in this matter: for the British Colonial Empire, apart from the Dominions and India, is as large as Europe. Lately there has been a deplorable tendency to treat this empire as a closed economic preserve, with a tariff wall built not by and in the interests of the native peoples, but by and for the imperial Government. Do not underestimate the importance of this in relation to the renunciation of war. Remember, for instance, that Britain has been deliberately raising barriers specially against Japanese trade in the Colonial Empire. The Government in London was so bent on this policy that last year it actually overrode the legislation of Ceylon, abrogating Ceylon's responsible Government, for the purpose of completing the discrimination against Japanese textiles. That has a direct effect upon Japan's war policy in Asia, and stimulated the demands of every German imperialist for colonial possessions.

One development in which Britain should give a lead is the extension of the principles of the Mandates system, including equality of trading opportunity, to all those colonial territories which are not self-governing. I may add that the British people have a right under the Covenant to look for collective support in resistance to any act of aggression

against those colonies: but what support will they get if they deliberately exclude 'foreigners' from the benefits offered in those colonies?

There is also need to develop the machinery of peaceful change. For instance, measures should be taken to give the Permanent Court certain powers of judicial discretion. The Court might be empowered, when giving a judgement, to express an opinion that judgement on the basis of the existing law would be inequitable, and to suspend execution of the judgement pending review of the matter by the League under Article xix of the Covenant.

Further, there could be a large extension of the undertakings by States to submit to and accept the judgement of an impartial authority given *ex aequo et bono*, i.e. on broad grounds of equity and balance of advantage. Dr. Habicht has shown in a valuable study how far this principle has already been accepted.

I personally am not convinced that what is called a 'Tribunal in Equity', in any form which has yet been suggested, would meet the varied needs of peaceful change.

As for Article xix, which has never yet been used, this must be used resolutely, and I believe that, if used under resolute leadership by such a Power as Great Britain or France, it would be found capable of powerful effect. Nominally, the League can only act by recommendation under this Article: actually, a recommendation backed by the judgement of the great bulk of informed opinion would approximate to a command.

But beyond this lies the problem of giving to the world community a real legislative function. That will not come till we are ready to tackle the problem of proportionate representation of the peoples in the world assembly.

x. *General Disarmament.*

Disarmament will be dealt with later in this series, and I discussed it at some length in the seventh and the eighth series of these lectures.<sup>1</sup> I will only point out now that unless the instruments of private war are drastically reduced, the renunciation of the right of private war will not effectively survive. The collective peace system cannot work without mutual confidence. And confidence cannot grow unless the League's guarantees of collective defence against aggression can be accepted as reliable. Those guarantees will not be accepted as reliable unless the States which may have to contribute to the collective defence are willing to make their contributions effectively: and they will be unwilling to do this if their risks and burdens seem likely to prove intolerably dangerous and heavy. These risks will remain formidable, so long as unlimited killing power remains as an instrument of anarchic national policy. And so we are driven back to the conclusion that general disarmament is essential to true security: the effort to achieve general disarmament must succeed if the League is to survive and the collective system serve its purpose. We must have a comprehensive *limitation* of the world's armaments which should include limitation of each nation's total expenditure on the fighting services. We must have drastic *reduction* of armaments, including all-round abolition of those weapons, especially naval and military aircraft, which specially favour sudden attack. And we must have thorough *supervision* of the agreement, including measures to prevent the evil effects of manufacture and sale of armaments for private profit. The reduction will have to be so timed and coordi-

<sup>1</sup> *Problems of Peace*, 7th series and 8th series.



nated as to leave always a preponderant power on the side of those States which can best be trusted, collectively, to stand for peace and justice.

If the present political situation develops in such a way as to encourage the forces of international anarchy, we shall see no reduction but a fantastic increase of armaments in the immediate future. If the War Departments have their way, the outcome will be explosion.

#### xi. *Collective Security.*

Lastly, I come to the most pressing question of all. Can we hope to build up a peaceful order, and to make real the renunciation of war, unless we accept loyally and effectively a fair share of the responsibility for preventing and stopping war? In England that question was the most debated item in the Peace Ballot. None of us who had a share in the inception and conduct of that enterprise anticipated so overwhelming a success; especially on this most controversial question of sanctions. I cannot but think that that piece of democratic education, that demonstration to our Government and the world, may have some effect in supporting those who would support the Covenant. I wish that it could be made plain in advance that Britain will collaborate loyally and effectively in support of the Covenant and in resistance to any act of aggression to an extent compatible with her armaments and geographical position. That is the obligation by which we are bound, as interpreted at Locarno in the famous Annex F, signed by Mr. Baldwin and Sir Austen Chamberlain. I believe that if the League's Members make plain in advance that they will honour their pledge to take sides against war, and will join in stopping that war with the minimum of lasting injury, then there may

be a chance that the war now imminent, conducted as it must be through the Suez Canal, may be averted. But I am certain that if the League were to fail in this duty—if Britain and France and the rest were to stand aside, not only during what the Abyssinian Emperor has called the 'preparations for massacre', but during the damnable process itself—confidence in the League's guarantee of collective action 'to protect the covenants of the League' against lawless violence would be utterly smashed, and the coloured peoples, not least in British and American territory, would be stirred by the news of so shameful a betrayal. Every shipment of war material and soldiers that now passes through Suez is paying dues from which the British Government derives a profit: every shipment increases the debt of honour we owe to those who may be poisoned, disembowelled, beggared thereby. Sanctions are a hideous evil: but in the world of armed States they are a far lesser evil than the actual alternative. If we are to transform the function of power, enlisting it behind the law instead of leaving it without the law, we must choose collective defence of the code of peace rather than national defence of self-judged private interests.

xii. *Conclusion.*

To sum up. We must evolve some kind of world commonwealth, freed from the menace and burden of the war system. We must therefore have a genuine, unqualified renunciation of war, accepted by peoples and binding on Governments: and this must not be stultified by retaining a self-judged right of self-defence. We must therefore accept in sufficient measure the authority of a world tribunal, and must participate in a regular system of conference such as the League affords. We must develop the common

services of peace, by international co-operation and by gradual extensions of world government. We must accept in advance provisions for peaceful settlement of international disputes by third-party judgement. We must develop means of peaceful change: we must be willing to accept changes of our existing rights, if these are necessary in the general interest: but we must be most careful, in assessing the need for change, not to be misled into the anarchic assumptions of militarists and nationalists. We must achieve a comprehensive limitation, reduction and supervision of armaments with adequate control of the manufacture of and trade in arms. And we must make unquestionably plain in advance our acceptance of a fair share of the collective responsibility for preventing and stopping war—war anywhere. All these are essential parts of the price of peaceful world order.

## CHAPTER IV

# INTERNATIONAL LAW AFTER THE COVENANT

by

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### 1. *The Development of International Law.*

WHAT is the sum total of the contribution of the post-war period to the idea of world order? This is the question with which we are concerned in this course of lectures. And as world order is, on analysis, identical with the organized supremacy of law over force in international relations, our task will to a large extent amount to an enquiry as to the development of international law in the post-war period. Now the answer to the question thus interpreted must, it is submitted, be that international law, conceived as the expression of world order, has suffered a severe set-back in the period from 1920 to 1934. This estimate is subject to some qualifications, but the historian of the future will probably be right in saying that, not very long after the setting up of the Covenant, humanity recoiled—as if in astonishment at the implications of the change and in fatigue wrought by the material and mental devastation of the war—before the magnitude of the new departure, and was reverting to the essential characteristics of a system whose re-appearance many regarded in 1919 as inconceivable. The answer, in a word, will probably be that in the field of international law taken as a whole there was, in that period, (no progress but retrogression.)

This negative result, it must be pointed out at the outset, is only a relative one. The history of these fifteen years is a history of relapse only when compared with the promise held out by the Covenant. But it might well be regarded as a history of rapid progress when contrasted with the state of international law in 1914. This divergence of assessment is due to the Covenant of the League. If we discard the accurate although somewhat trite statement that the Covenant of the League is not a super-State, and if we set aside for a moment the imperfections which, if removed, would transform it into one, then the Covenant as laid down in 1919 stands out for radical changes, express and implied, in the structure of international law. In comparison with these changes, the normal development of international law must appear to be trifling. If the Covenant and the question of its fulfilment are forgotten, then it is clear that this has been a period of unprecedented progress in the creation and clarification of international law. Some instances may be mentioned. There has never before been such intensive judicial and arbitral activity in the international sphere. The record of any of the years between 1919 and 1932 more than exceeds in this respect that of any of the years before the World War. The Permanent Court of International Justice has not, except in one or two isolated cases, been called upon to decide disputes of conspicuous political importance. But it has served the cause of international law by applying, illustrating, and developing rules and principles of international custom and treaties. There is hardly an important branch of international law of peace which has not been enriched by a pronouncement of the Permanent Court. The very Statute of the Court signified an important advance by the manner in which it

formulated the sources of international law. • By authorising the Court to apply general principles of law as recognized by civilized States, it enlarged the basis of judicial decision and put an end to the predominance of a barren doctrine of positivism which, by relying on the consent of States as the only source of law, lent its support to an extreme conception of State sovereignty. Moreover, the Permanent Court of International Justice has not been the only tribunal in existence. A number of Mixed Arbitral Tribunals and Mixed Claims Commissions were created to deal with private claims against the former Central Powers and other States, as well as with other matters. And an unusual accumulation of arbitral bodies not connected with the peace settlements have done much to add to the growing body of international jurisprudence.

The well-established rule that no State is bound to submit its disputes with other States to impartial adjudication, unless by virtue of an obligation undertaken in advance, continued in all its abstract rigidity, and the Permanent Court of International Justice has repeatedly re-affirmed this principle. But subject to this rule and apart from more or less comprehensive reservations, the scope of treaties of obligatory arbitration and judicial settlement has grown almost out of recognition when compared with similar treaties obtaining before the World War. The Optional Clause, by which most States are bound, may have flaws—some real, and some imaginary. In fact, it is so comprehensive as to cover practically every conceivable dispute.

There have taken place improvements in the technique of the treaty-making process, and promising attempts have been made to obviate to some extent the terrors of delay inherent in the requirement of ratification of multilateral treaties

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The number, character, and variety of these general treaties—conveniently, but somewhat inaccurately, referred to as international legislation—constitute another striking contribution to international law. Even the abortive effort to codify parts of international law has not been altogether without some advantages.

A further notable achievement has been the increased interest which international law, as laid down in treaties and institutions created by them, has shown in the betterment of the lot of the individual in cases in which it appeared that international action or supervision is necessary to that end. The Peace Treaties, in establishing the International Labour Organization, expressly recognized the direct connexion between international peace and the securing of a minimum standard of treatment for wage-earners. It is no exaggeration to say that the activity displayed by the International Labour Organization and the conventions concluded under its aegis have surpassed all expectations. The principle of the protection of the religious and cultural interests of the individual as adopted in the various Minorities Treaties and Declarations has been applied by the organs of the League in a way which, although it has invited criticism in some quarters, has certainly not been disloyal to the intentions of the framers of these Treaties. The interpretation of these treaties by the Permanent Court of International Justice, in particular of the term 'equality before the law', is of lasting value. In the field of the purely humanitarian protection of the individual, the Opium Conventions, with their elaborate system of supervision and experiment, constitute a most instructive example of the new developments. So does the protection of stateless persons and refugees by conventions and arrangements concluded under the auspices

of the League. Even the framing of an international code designed to lay down a minimum standard for the treatment of prisoners has occupied the attention of the Council of the League. On the other hand, note must be made of the fact that the protection by international law of the fundamental human and political rights of the individual from assault on the part of the omnipotent State has receded into the background in comparison with the ideas and aspirations prevailing before the World War. It would appear that the conception of 'intervention for the sake of humanity' is less acceptable to civilized Governments than it was thirty or forty years ago.

In the domain of the law of war the innovations have been less marked. No serious attempt has been made to solve the problems raised by the unprecedented extension of the scope of modern warfare and the resulting inducements to an obliteration of the distinction between combatants and non-combatants—a distinction which has been the basis of the laws of war and of civilized warfare generally. Much of the violation of the laws of war during the World War was due to the fact that the Hague Conferences, working as they did in an atmosphere of unreality, ignored these developments. It is probably true to say that there exists to-day no generally recognized law of prize in regard to some of its most important aspects. Neither has there been a determined effort to cope with the situation arising out of the changes in the instrumentalities of war, in particular in the matter of air warfare. But, on the other hand, there have been some noteworthy improvements. The Convention of 1929 on the Treatment of Prisoners of War constitutes a distinct progress in the humanitarian sphere; so does the Convention of the same year on the treatment of



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sick and wounded in armies in the field. These conventions are also conspicuous for some of their general provisions like the prohibition of reprisals against prisoners of war, and the abolition of the so-called general participation clause which reduced most of the Hague Conventions to a state of utter precariousness if not worthlessness. As to the new instrumentalities of war, the London Naval Conference of 1930 reaffirmed the customary rule of international law on the protection of non-combatants in submarine warfare, and the Geneva Gas Protocol of 1925, in re-enacting the provisions of some former treaties, applied to this new weapon the customary prohibition of international law relating to the use of poison. But such is the degree of unreality or caution in these conventions that the Geneva Convention of 1929 relating to prisoners of war included gas masks among the private belongings which prisoners must be allowed to retain. What is the purpose of mentioning gas masks, some of the delegates to the Conference asked, if the use of gas is prohibited? The answer was, of course, that gas masks may be worn as a precaution against breaches of the Protocol.

The same kind of reply is at times given to the question as to the necessity of rules of war in view of the General Treaty for the Renunciation of War, or the so-called Kellogg-Briand Pact of August 1928. More persuasive answers could be given. For reasons which need not be elaborated here, that Treaty has not rendered unnecessary the formulation and study of rules of warfare. Nevertheless, there ought to be no doubt that it constitutes the most important achievement in the history of international law since the Covenant. Its significance has been obscured on the one hand by sceptics or cynics who see in it a legally

worthless declaration which does not deceive any one and which is not even intended to deceive. On the other hand, its authority has been undermined by zealous commentators who read into it obligations of sanctions and changes of neutrality which its signatories might have adopted had they intended the Treaty to be truly effective, but which they did not in fact adopt. The Treaty has done more than any other agreement among States, perhaps even more than the Covenant itself, to make it possible to contemplate the relations between States as governed by legal rules; it has contributed perhaps more than any other legal provision or principle towards rendering possible an affirmative reply to the question whether international law is law. Before the Kellogg-Briand Pact, war was not only a legal means of self-help and redress; it was—incomprehensible as this may be for ordinary juridical thinking—a legally recognized instrument for challenging and defying existing law. International law recognized a violation of the most fundamental rights of States so long as this was done under the cover of a formal declaration of war. This is no longer the case. Resort to war has been legally reduced to a position even more limited than it occupied in the view of the scholastic writers and some of the founders of international law. Except in cases of self-defence it is not even a legal remedy. The Treaty is said to have been circumscribed by reservations, express and implied, formal and informal, but these do not essentially detract from the overwhelming legal reality of the Treaty.

This strong emphasis on the legal merits of the Treaty is likely to provoke opposition. Is it not true, it may be said, that even if the Treaty has effected a radical change in the system and the textbooks of international law, its political

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reality is negligible? This is to a large extent, although not entirely, true. It would not be a complete answer to urge that after all law unavoidably forms part of political reality. And it would be mere flippancy to insist that this is a lecture on international law and not international politics.

The fact is that there *is* a discrepancy between the legal content and the political significance of the Treaty. This is an anomaly which requires explanation. The explanation is that, by a natural process of contamination, the General Treaty for the Renunciation of War has shared the lot of international law as a whole, and in particular of one of its major and more fundamental instruments, namely, the Covenant of the League. It has become infected by the fate which has befallen the Covenant politically and probably also legally.

##### ii. *The Covenant.*

What was the legal promise of the Covenant? And in what has its non-fulfilment consisted so as to affect other instruments by a process of contagion and to make appear insignificant the undoubted developments in international law in many a sphere. We have reached a moment in history when it is perhaps not altogether without advantage to look back and to recapitulate the changes of a general character introduced by the Covenant.

(1) The first change is the limitation of the right of war. The Covenant did not, it is true, deprive the members of the League of the right of war to the same extent as the Kellogg-Briand Pact. But indirectly it undermined, in law, the institution of war as the result of the obligation of Article 10 to respect and to preserve as against external aggression the existing political independence and territorial integrity

of all the members of the League. That Article attacked the very object of war. If loyally observed in letter and spirit, it would in itself have signified the end of war as a normal means for achieving political aims. It was no mere phrase when that Article was described as the backbone of the Covenant. It embodies the idea that political independence and territorial integrity are for States what life is for individuals, and that it is the first and vital condition of political society to guarantee, so far as the power of the law permits, that most elementary of all possessions. No such obligation of respect and guarantee existed before the Covenant. On the contrary, it was part of the established law that while in time of peace States owed one another a meticulously circumscribed duty of non-interference and ceremonious respect for the minutest aspects of their independence, they were freed of that duty by the simple device of a declaration of war.

(2) No less radical was the innovation introduced by Article 16. It had previously been a canon of international law that Sovereign States cannot be coerced or punished by collective action. The very notion of sovereignty, as then interpreted, excluded the idea of punishment. Individuals organized as States acquired an immunity which they did not otherwise possess, and which was in itself destructive of the idea of an organization of States under the reign of law. The idea of compulsion, which is of the essence of law, was known only in the form of self-help. The Covenant definitely abandoned that principle.

(3) Thirdly, in connection with sanctions, the Covenant effected a substantial change in the conception and law of neutrality as between members of the League. It has, by implication, reintroduced the classical conception of qualified

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neutrality. If a State resorts to war against a member of the League in violation of the Covenant, other members of the League may declare war upon it. But if they do not elect to adopt that extreme measure and retain thus the formal status of neutrality, it is not a kind of neutrality accepted by international law in the nineteenth and twentieth centuries. It is a neutrality qualified by the right and duty of the neutral members of the League to discriminate, by means of applying sanctions, against the guilty belligerent who, by signing the Covenant, has accepted in advance the obligation to submit to such discrimination. A change was thus effected which subjected resort to war to the legal judgement of the non-participants and constituted them to a large extent the organs of the law.

To describe these innovations in detail is to expose oneself to the reproach of being too rigidly academic. For, it may be asked, is it not true that the years following upon the adoption of the Covenant have witnessed a frustration of the purpose of these changes and a denial of their obligatory force? This, as we shall see, is not entirely true. But neither is it entirely false. And the element of accuracy which it contains is so conspicuous and has loomed so large in actual practice and in general consciousness that it is not the legal promise of the Covenant but the absence of achievement which has given the decisive impress to post-war international law.

This being so, what is the nature and the explanation of that phenomenon of non-fulfilment? The explanation, it is believed, lies largely in the fact that the radical innovations introduced in the Covenant were deliberately combined with the maintenance of some traditional features of established international law and of State

sovereignty. Some examples will illustrate this proposition: Members of the League accepted the obligations of mutual guarantee and of direct suppression of unlawful recourse to war. These obligations are necessarily of a collective nature; they retain a sense and purpose only when thought of not as an isolated measure of any single member of the League but as collective action of all its members. However, the Covenant stopped short of treating them as such; it stopped short of providing a basis, expressed in binding and effective obligations, for the collective effort. The non-participating members of the League have retained the right to judge for themselves whether unlawful resort to war has taken place and whether the duty of enforcing the Covenant has arisen. No such right of effective decision or even opinion binding upon a dissentient minority has been given to the Council or Assembly. The very term 'resort to war' on which the individual obligation to apply sanctions depends, is surrounded by an ambiguity which, in the opinion of many, tends to defeat one of the principal objects of the League. Thus it was possible for members of the League to refrain from regarding the invasion of Manchuria by Japan as 'resort to war' and yet to remain legally within the four corners of the Covenant. It will thus be seen that not only have members of the League remained judges of their obligations, but that the Covenant is so framed as to add substantially to the scope of their discretion. The result is that while the *principle* of enforcement of the law is recognized, the legal effectiveness of that principle may be frequently rendered illusory for the reason that its application is doubtful or discretionary or rendered theoretical because of the absence of legal machinery for making it effective. The same

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applies to the question of neutrality. The general law of neutrality has undergone a significant change, but the possibility of that change being given effect has been limited because of the legal admissibility of war in many cases and because of the very large margin of legal discretion left to the members of the League in deciding whether occasion has arisen for giving effect to that change. Neither has the requirement of unanimity added to the reality of the provisions of the Covenant in this field.

But there is no room for multiplying examples. Suffice it to say that the adherence to some of the traditional tenets of international law has created a gap between the actual legal structure of the League and its professed function as the organization of peace and order. Very likely the framers of the Covenant wished to leave it to the future to fill the gaps. But the future, as the result of political conditions largely unforeseen by the authors of the Covenant, instead of filling the gaps, allowed them to broaden and to sap the very bases of the new international order said to have been established by the Covenant. Owing to the juxtaposition of the two incongruous elements—the new and the old—the Covenant, conceived as a legal document, is not so much an instrument imposing legally effective obligations in the field of collective enforcement of the law as a legal authorization to act in that capacity. This in itself was a tremendous achievement. No such authorization existed before. In cases in which the individual interests of individual members of the League should happen to coincide with the purpose of the Covenant, this authorization may prove of tremendous value. The Covenant, even if it has not created an effective legal obligation to act for the common good, has created a right so to act. But a right if permitted

to rest unexercised in matters in which the moral sense of mankind requires it to be used is a source of disintegration and demoralization. Moreover, the value of the relevant provisions has been impaired in a number of cases not only by the failure to put to use the authorization contained therein but also by Governmental interpretations and by the few isolated cases of actual disregard of unequivocal obligations of the Covenant. It may be difficult to deny that members of the League have failed in their legal duty under Article 10 to preserve the territorial integrity of China or to apply Article 16 against Paraguay after she was found to be resorting to war contrary to the provisions of the Covenant.

The extent of this process of attrition can best be gauged by the character of the answer that must be given to questions like these: How much of Article 10 is still law? How much of Article 16 is still binding? It is a fact that these questions are being increasingly and legitimately asked—and yet these are questions pertaining to the most fundamental and most solemn treaty ever concluded. An impressive legal argument could be put forward in favour of the contention that nothing or little has happened to take away effectively from the legal force of these obligations. There has been no formal amendment of the Covenant of any consequence. As to the frequently cited cases of the non-observance of the Covenant, the members of the League were, it may be argued, entitled to refrain from regarding as 'resort to war' not only the action of Italy in Corfu but also the Japanese action in Manchuria. In law, therefore, save for the Paraguayan incident, Article 16 stands to-day as it did when it was framed in 1919. In spirit nothing has happened to detract from the formidable obligation of Article 10. If in one isolated case that Article remained a dead letter, such



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an event is of no more importance than the breach of a law within the State. There is no process of obsolescence of international law as the result of non-observance—especially when such non-observance is confined to single cases.

All<sup>f</sup> this is true. But the legally relevant fact remains that the new international law as laid down in the Covenant has, in its essential aspects, remained in the rudimentary state in which it was in 1919. I say 'in its essential aspects' because there have been developments in many other spheres. But in what must be regarded as its vital aspect the discretion left by the Covenant has been exercised only in one direction, to wit, in such a way as to bring into relief the traditional freedom of action enjoyed by sovereign States and as to obscure the fundamental changes which were generally associated with the Covenant at the time of its inception. The potential advance has not been implemented. For this reason it may be true to say, somewhat paradoxically, that although on the whole the law as laid down in the Covenant has not been formally altered or abrogated, the new international law which it embodies has suffered a relapse. There is little comfort in the suggestion that by a healthy process of trial and error the more audacious parts of the Covenant have by common consent been allowed to disappear. For there is an obvious element of danger in the suggestion that as constitutions within the State grow and develop through practice and experience, so also parts of international law may become obsolete by the same process. Such obsolescence cannot be lightly attributed to laws which were regarded as being of the essence of the system and as embodying the highest hopes of many nations.

The legal purist or 'positivist' will argue that this relapse

has been mainly political and psychological. He may be right. But in these matters the borderline between fact and law is not very rigid. In an unorganized society facts translate themselves into law more quickly and more imperceptibly than in an organized community. It is exactly the positivist view which sees in manifestations of fact in the international sphere a potent source of international law. So potent, indeed, has been the influence of political facts and conditions, that even those parts of the Covenant which signify clear and unequivocal obligations are being increasingly regarded as political declarations of principle rather than as clear legal duties capable of ascertainment and interpretation like any other treaty. Would it be difficult to find statesmen, professed adherents of the League, who would yet be quite prepared to proclaim that Article 10 or 16 must not really be taken literally like a private contract or even an ordinary international convention?

The consequences of this situation have been truly far-reaching for international law as a whole. *Corruptio optimi pessima*. Never before, perhaps, has this saying been verified on a more gigantic scale. Any decrease in the authority of the Covenant—the most fundamental of all expressly accepted international obligations—must unavoidably be followed by a decrease of the authority of international law in general. There has, in the period under review, been a disquieting wave of disregard of the binding force of treaties. The authority of the law as a factor determining the action of States has weakened. It would seem that the equilibrium of physical forces, and not legal restraint, is becoming the decisive element in the conduct of States. It is not very difficult to find the explanation. If treaties—especially treaties to which the highest hopes

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of mankind were attached—are broken or interpreted out of existence or simply not acted upon, subsequent treaties lose the vital force of their being. If Article 10 of the Covenant—and the Covenant generally—had remained in the consciousness of nations and Governments what it was intended to be in 1919, there would have been no necessity for most of the subsequent pacts of guarantee, of non-aggression, and so on. What superior virtue, except political expediency, is there in a new treaty after its predecessor *in pari materia* has not been treated with the respect due to a solemn obligation? What authority, moral or juridical, is there in a pact not to go to war for a period of ten years if the contracting parties are already bound not to go to war for ever? What reassuring force is there in a regional pact if the general pact laying down the same obligation has been treated like a scrap of paper? Any attempt to restore the diminished authority of international law will have to start from a re-affirmation of the binding force of the vital parts of the Covenant.

### iii. *The Function of International Law.*

In the meantime, it may be fittingly asked, what is the function, in the situation with which we are confronted, of the science of international law? Its power is limited both in practice and as a matter of scientific propriety, but within its limitations it may exercise an influence of significance. In the first place, in so far as it is confined to an exposition of existing law, it is certainly within its province to present in all its implications and in all its dignity the law which was created in 1919, and which has not been formally abrogated. The fundamental changes effected by the Covenant are still part of the law. Legal rules and insti-

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tutions, including those laid down by treaties, have been frequently exposed to criticism on the ground that they tend to stabilize conditions and that, being incapable of taking into account social changes, they create a gap between law and justice. This is so. But, on the other hand, law is the depository of mature social experience and responsible social compromise. It gives flesh and bones to that experience and renders it immune from the effect of transient moods and influences. International lawyers ought therefore to be in a position to take a long view. They must avoid any undue generalizations from the present condition of political regression as compared with the law as shaped in 1919 and with the ideas that moved nations and statesmen in shaping that law. The new international law then enacted must be interpreted by reference to those ideals and intentions, and not in a spirit of impatience, disappointment, or opportunism. There are certain fundamental ideas of international organization and international morality underlying the Covenant which ought to be treated with absolute respect and which must be approached with humility. This does not mean that the Covenant is above criticism. This paper is in many respects critical of the Covenant. It means that the greatest restraint ought to be exercised when, under the influence of temporary difficulties, we feel tempted to cast doubt upon those very features of the Covenant which, as a matter of historical fact, were at the time of its creation regarded as embodying new and decisive elements of international progress and order. To mention only one example:

Any one who has studied the history of the establishment of the League, as revealed in the projects for its creation and in the various drafts preliminary to its acceptance, cannot

fail to perceive that the idea of the collective enforcement of the obligations of pacific settlement was one of the principal ideas of the Covenant. No doubt, the preservation of peace by way of mediation, conciliation, conference, and discussion was regarded as of paramount importance, and was justly placed in the forefront of the activities for the promotion of peace. The application and operation of Article, 11 have fully shown the great possibilities of the principle embodied therein. But the idea of sanctions and enforcement, coupled with the mutual guarantee, as an *ultimum refugium pacis mundi* is one without which the Covenant would in 1919 have been regarded as deprived of its essential content. President Wilson could perhaps have secured the acceptance of the Covenant by the Senate of the United States at the price of the elimination of these fundamental ideas. But he and others would have rejected with surprise and scorn the suggestion that the League was merely an elaborate conference of States endowed with permanent organs. The framers of the Covenant deliberately stopped short of providing the League as such with the instruments of force to be wielded by the organs of the League, just as they stopped short of organizing the collective action of its members, but this is another matter. When, therefore, it is said that the idea of force is foreign to the Covenant, that its sole and exclusive instrument and object is persuasion, and that any infusion of the idea of enforcement is yet another manifestation of the Continental as distinguished from the British or Anglo-American mentality—then such submissions must be regarded as a misinterpretation of the Covenant and as amounting in part to an attempt to elevate to the authority of a principle the psychological atmosphere of a temporary political relapse.

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Secondly, international lawyers may be able to play a useful part in reducing to its true proportions the complacent and by now trite phrase that the League of Nations is not a super-State. That phrase is, of course, essentially true. It is true in the sense that members of the League have not irrevocably surrendered their freedom of action in matters in which they are bound by the Covenant; they may release themselves from these obligations by withdrawing from the League. And it is accurate in the meaning that, while members of the League, they are not bound to acquiesce in any addition to or extension of their obligations under the Covenant; they may, if they disagree with the majority on such issues, withdraw from the League. However, while it is of importance to bear in mind that the Covenant does not establish a super-State in the connotation suggested above, it is no less important not to make this fact a starting-point for a misrepresentation of the purpose and of the legal nature of the League. Thus it is very widely assumed that the absence of a super-State in the legal organization of the League means that it is a system of co-operation and nothing else. This is an entirely false conception of the nature of the League. The Covenant is much more than that. It is a system of binding obligations in matters which Sovereign States have traditionally considered to be at the very root of their existence as sovereign units, namely, in the matter of the right of war. Moreover, it is, in law, a system for the enforcement of those obligations. But in the first fifteen years of the history of the League the truism that the League is not a super-State has in practice frequently been invoked with the intention—and has often had the effect—of totally obscuring these two outstanding features of the Covenant. It is within the province of legal science to

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remove that misapprehension. After this has been successfully accomplished it will be time to approach the more difficult but hardly less urgent task of doing away with the prejudice and complacency which now stand in the way of a scientific consideration of the question of the relation of international law to the conception of the Federation of the World—commonly referred to as the super-State. But this is a matter which falls outside the province of this paper.

If the science of international law and public opinion generally are determined to take a long view, in the sense here suggested, in the matter of the interpretation of the Covenant, then the history of the last fifteen years need not necessarily be written off as a clear loss. In that case the very disappointments of that period constitute an indirect contribution to further development. They are a lesson and an experience. But they are much more than that. Within the frame of the still dominant old order and of old conceptions there have taken place legal changes, detailed and numerous, far-reaching in their cumulative effect and of immense practical value when time has released their potentialities. A properly conceived science of international law can help to disclose their true significance and thus assist in maintaining faith in progress.

POSTSCRIPT.—This lecture was delivered before the outbreak of the war between Italy and Abyssinia. The future will show whether that event and the attitude adopted towards it by the members of the League will have to be regarded as a continuation of the period reviewed in this lecture or as the beginning of a new phase in the history of the League and of international law in general.

## CHAPTER V

# IS AMERICAN NEUTRALITY POSSIBLE?

by

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### i. *The Particular Relevance of the Problem To-day.*

‘IS American neutrality possible?’ It would be hard to find a more difficult question. In order to attempt an answer one is obliged to make predictions concerning the future, with all its diverse and uncertain factors. In the field of international politics, no game is more hazardous.

My greatest defence, however, is that I did not choose the subject of my remarks. Furthermore, I am somewhat encouraged by the fact that a number of very important people are trying to do exactly what has been asked of me. In the United States the problem of neutrality is the great question of the day; it is being intensively studied by the War, Navy, and state Departments. All these eminent people are engaged in the same difficult task which has been imposed upon me; they are analysing the policy which a particular State may reasonably be expected to adopt in the event of another conflict. And the time it has taken them to formulate the proposed policy indicates that they are finding the task extremely complex and difficult.

This can readily be understood. Whether, in a particular case, the United States can or will maintain its neutrality is going to depend upon the circumstances. In the recent war in the Chaco, the United States had little difficulty in



remaining neutral, and even intensified its neutral status by applying an arms embargo to both belligerents. A war involving the Monroe Doctrine might have a greater chance of interesting the United States than a conflict of some other kind. A war on the sea would have a greater tendency to affect the neutral rights of this country than a war confined to land. A war of aggression might conceivably influence the manner in which the American Government would apply or interpret its neutral rights and duties. So many different situations may arise, each capable of affecting considerably the policy to be adopted *ad hoc* by the American Government, that it is extremely difficult to say in advance whether that country, in case of another war, would endeavour to remain neutral, and whether it would be likely to succeed in its attempt. All that I can expect to do is, first, to set before you the present trends in American foreign policy in so far as they bear upon the question of neutrality, and, second, in the light of these trends, to suggest what policy the United States may reasonably be expected to follow in case of one or two specific situations which seem particularly pertinent.

ii. *Prevailing Trends in American Foreign Policy.*

I am venturing here upon very dangerous ground, in attempting to analyse the state of public opinion in a vast country composed of forty-eight States whose peculiar attitudes often differ, the population being divided into many classes and varying schools of thought. Public opinion in the United States is subject to modification, and sometimes surprisingly rapid changes. There are, however, three main schools of opinion with regard to the neutrality policy of the United States. On the extreme right we find those

who believe that the old neutrality policy, unchanged, is the best; that in the time of war the Government should insist on its traditional rights of trade with both belligerents, and be ready to protect its citizens who desire to engage in such trade. On the extreme left we may discover the proponents of international co-operation, including the friends of the League of Nations, who believe that the time has come for the United States to modify its neutral position so far as necessary to ensure effective co-operation with international machinery, notably the sanctions of the League. This group is far from negligible. This is shown by the recent vote taken in 115 towns of Massachusetts, 111 of whom voted in favour of the United States joining the League. Finally, in the centre, there is found what appears to me to be the dominant opinion, characterized by the general tendencies which I shall now attempt to describe.

iii. *The First Trend—Intensification of Isolation.*

The first trend in American foreign policy which I wish to emphasize is a certain intensification of isolation. Never since the war—not even during the Harding Administration with its extraordinary reaction against Wilsonian policies, illustrated by the dust which the Secretary of State allowed to collect on the unanswered communications from Geneva—has the inclination to keep clear of foreign entanglements been so strong. Nationalists and chauvinists have neglected no occasion to encourage such a feeling. The well-worn phrases of Washington, Adams, and Jefferson are polished up for renewed use. Books like Beard's *The Open Door at Home* counselling economic self-sufficiency have had considerable influence in the political field also. Some recent American experiments with international

methods for preserving peace have not encouraged further efforts of the same kind. Twice in recent years an American Secretary of State has taken the initiative of reminding certain Great Powers of their duties under the Pact of Paris, but with consequences which were disappointing, if not humiliating. The many rumours of new wars which have reached the United States, often exaggerated; the Manchurian affair with its well-known *dénouement*; the failure of international efforts toward the reduction of armaments; and the rearming of certain States in violation of treaty commitments—all these have served to create in American minds a certain disillusionment with respect to the usefulness or effectiveness of international machinery for the maintenance of peace.

In general the consequence is a renewed belief in the wisdom of the age-old warning against foreign entanglements. An intensified opposition to commitments reaching into the future. A disposition to rely more than ever upon the policy of neutrality which, defective as it is—it failed to keep us from becoming embroiled in two great European wars—appears to the majority of Americans as perhaps their best safeguard. In fact, the proposals now most in favour aim, not toward the abandonment of American neutrality, but, on the contrary, at making it more complete (I almost said foolproof) in the hope of keeping the country out of *all* future wars. In short, Americans are not thinking to-day in terms of international co-operation, or relying upon pacts condemning war or outlawing aggression. Their main preoccupation seems no longer to be, 'Let us prevent war', as it was when M. Briand and Mr. Kellogg were collaborating, but rather, 'Let us keep out of war'.

iv. *The Second Trend—Genuine Interest in the Cause of Peace.*

This tendency toward more complete isolation, however, does not mean indifference to the cause of peace. It must be admitted that Americans do not favour active co-operation with international machinery such as obligatory arbitration and international sanctions, although such methods were envisaged by President Wilson, and are still favoured by the many friends of the League in the United States. Nevertheless, the Americans are as intensely interested in the cause of peace as any people in the world. This is true of the Government as well. Even President Coolidge declared that war anywhere in the world was of direct interest to the United States. Just recently, while President Roosevelt abstained from reminding two disputing States of their obligations under the Pact of Paris, he expressed a sincere desire that a peaceful settlement might somehow be achieved. Furthermore, Mr. Hull, Secretary of State, declared that naturally the United States was deeply concerned with the preservation of peace in any part of the world. Vigorously reaffirming the objects of the Pact of Paris, Mr. Hull concluded that 'The United States and the other nations are interested in the maintenance of the Pact and the sanctity of the international commitments assumed thereby for the promotion and maintenance of peace among the nations of the world'. No one who knows the temper of the American people can entertain any doubts as to their tremendous interest in the cause of peace.

*v. How Far is America Prepared to go in Effective Collaboration with the League?*

But how far will the American people go in transforming this interest into effective collaboration? Will they 'implement' the Pact of Paris? And what is the Government prepared to do in this matter? To be more definite, Great Britain has often expressed reluctance to assume new commitments in relation to international sanctions so long as there remains some fear of collision with the United States. Mr. Stanley Baldwin, for example, in an address at Glasgow on 23 November, 1934, declared:

'Never so long as I have any responsibility in governing this country will I sanction the British Navy's being used for an armed blockade of any country in the world until I know what the United States of America is going to do.'

It seems probable that in case of war or danger of war the United States Government will consult with other Governments in the effort to preserve peace. Mr. Stimson, former Secretary of State, actually affirmed that such consultation was a corollary of the Pact of Paris. That this was the official policy of the United States has been assumed from the events of the past few years. This Government consulted with other Powers during the course of the Manchurian, Chaco, and Letitia disputes, and while its policy in this matter has at times been vacillating, it has collaborated actively with League organs. By ratifying the Argentine Anti-War Treaty of non-aggression, the United States has agreed, in case of a dispute, to adopt with the other signatories a common attitude, making every effort to maintain peace. This looks like an implied agreement to consult. Finally, it should be added that at the Disarmament Conference the

delegate of the United States, Mr. Norman Davis, declared on 22 May, 1933, on the authority of President Roosevelt, that the United States was ready to consult with other nations in case of a menace to peace. His administration, however, seems less disposed toward consultation than the last.

While probably disposed to consult with other interested States when peace is at stake, the United States is not ready to promise its support in the application of international sanctions. This was made very clear by the American Senate at the time of its approval of the Pact of Paris. And when Mr. Davis made the statement on consultation just referred to, he emphasized that his country would not 'participate in European political negotiations and settlements and will not make any commitment whatever to use its armed forces for the settlement of any dispute anywhere'. 'The United States', writes Jessup, 'will not now enter into any treaty, pact, covenant, agreement, or understanding, which binds it in advance to use its military, air, or naval forces as a means of bringing pressure on a state which threatens to resort to war or actually begins hostilities. There is no realistic advantage from the American standpoint in discussing such an arrangement at this time.'<sup>1</sup>

*Positive* collaboration with other States in the application of sanctions thus seems to be out of the question at the present time. But what of the possibility of some form of what may be termed '*negative* collaboration'? It has been proposed, for example, that the United States might well promise that if other nations were engaged in applying economic sanctions against an aggressor State, it would act

<sup>1</sup> Jessup, *The United States and the Stabilization of Peace*, New York, 1935, p. 126.

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so as not to interfere with such collective efforts. The Government might agree, for example, to withdraw its protection from American citizens who persisted in trading with the State then the object of collective sanctions. Some hopes of such action were inspired by the declaration made at Geneva by Mr. Norman Davis, on 22 May, 1933, notably these words:

‘In the event that a decision is taken by a conference of the Powers in consultation in determining the aggressor with which, on the basis of its independent judgment, the Government of the United States agreed, the Government of the United States will undertake to refrain from any action and to withhold protection from its citizens if engaged in activities which would tend to defeat the collective effort which the States in consultation might have decided upon against the aggressor.’

But if this failed to create lasting hopes of effective American collaboration, this can be easily understood, for a number of important reservations must be made in connection with the Davis statement. In the first place, Mr. Davis made his proposal conditional upon the successful conclusion of a general treaty for the reduction of armaments. In the second place, there is no indication that such a policy would be acceptable to the United States Senate. In fact, only five days after Mr. Davis had thus spoken, the Senate amended a proposed Bill which would have authorized the President, in the matter of an arms embargo, to differentiate between two belligerents. When amended, the Bill merely authorized him to establish a *double* embargo.

In the Senate and elsewhere sincere fears have been expressed that if the United States should attempt to penalize the aggressor and favour the victim, it would be violating

the duty of impartiality toward the belligerents imposed by international law upon the neutral State. These fears have undoubtedly influenced the Government. It is true that eminent authorities maintain persuasively that in case of war in violation of the Pact of Paris, the United States would have a perfect right to take such action; that this modification in the neutral duties of the United States follows as a logical consequence of the Pact itself. (The respective arguments are set forth in the new book by M. Politis, *Neutralité et la Paix*, and in the writings of Professor Moore, Borchard, Jessup, and Quincy Wright of the United States.) The right to differentiate in favour of the victim of an aggression was affirmed at the 1934 Conference of the International Law Association in what is known as the Budapest Articles of Interpretation of the Pact of Paris. On the other hand, certain eminent international lawyers, Mr. John Bassett Moore, for instance, whose influence is considerable, deny that the Pact of Paris has effected any changes in the neutrality status of the United States. Given such a divergence of opinion among the most eminent authorities, the Government is not likely to take precipitate action in this matter, particularly for fear of subjecting itself to a claim for damages. It would be possible, of course, to clear up the whole matter by treaty; the signatories of the Pact of Paris are free to negotiate a new convention definitely subscribing to the changes in neutrality alleged to follow as a consequence of that treaty. This would establish the legality of discrimination in favour of the victim State and demonstrate beyond further discussion that an important change in international law had been effected. But no student of international politics can be optimistic over the chances for prompt conclusion of such a treaty, and no one familiar with American



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politics can predict with assurance that it would even obtain the approval of the United States Senate.

### vi. *The Chief Trend—Anxiety to Keep Out of War.*

In fact, the trend of American policy seems to extend to-day in a totally different direction. Americans are less confident to-day than at any time since the War in the possibility of preventing war by international action. As a consequence, American ingenuity is being devoted to a consideration of unilateral, independent, and purely national means of protection against the menace of war. If war comes, they are saying, let us be sure to keep out of it. Let us even abandon some of our cherished rights, if such action will result in saving us from those complications which in the past have led us into war.

This attitude may appear rather curious to the impartial observer. If it is proposed to prevent war by setting up in advance international machinery designed to act in a crisis, determine the aggressor, and supervise the application of sanctions against the law breaker, in short, if one attempts to apply to States the same principles of law and order which for thousands of years individuals have found indispensable for their mutual relations, the United States responds: 'I am not disposed to co-operate by making any changes in my neutrality policy.' If, however, as a consequence of the weakness in international organization, war does break out again, then the American Government, in the endeavour primarily to see that the United States does not become involved, is ready to accept important changes in its traditional neutral policy. Changes are legitimate, then, to keep out of war, but not to prevent war itself.

vii. *Proposed Changes in the Policy of Neutrality.*

What is the nature of these proposed changes? In general, they might accomplish, if adopted, some real progress in one direction. In the past American neutrality has been inspired by two main considerations: first, the desire to keep out of the war; second, the hope of carrying on commerce during the war with no more interference than is absolutely necessary. Attached to this second purpose is the hope of amassing unusually high profits through war-time trade. The first motive is beyond reproach. The second is not. The maintenance of trade with the warring States may make the neutral little more than a base of operations for the belligerents lucky enough to control the sea. The natural result is that the other belligerent, in self-defence, responds as best it may. Its measures of defence may be resented by the neutral to such an extent that the latter will be placed under a great temptation to enter the war. In short, the second purpose behind the neutrality policy may serve to compromise the success of the first purpose—to keep clear of the war. Now, the proposals at present under consideration are extremely interesting for the reason that they attack the second motive, and tend to assure the success of the first. The proponents of these measures are saying: 'Let us forgo the possibility of war-time profits if necessary, let us even sacrifice some of our normal trade, if only we may thereby keep out of the war. The extra cost will be fully justified as insurance premiums against the stupendous losses and colossal expenditures which another war would force upon us.'

A number of most interesting proposals have been advanced in the United States this past year. Convinced

that in the event of another war dangerous complications involving America may arise, particularly in connection with the shipment of contraband to the belligerents, certain persons have made suggestions, some more feasible than others, whose purpose is to keep the nation safely out of war. Foremost in this movement we find Mr. Charles Warren, who, as Assistant Attorney-General during the World War, was charged with the enforcement of American neutrality laws. His point of view is well illustrated by the following quotation:

'Preparation for neutrality means that our Government and *our people* should decide *now* what is to be our policy and our attitude and should not wait until war comes, until belligerent interference with our commerce actually occurs and internal racial interests are aroused in this country.'<sup>1</sup>

His first proposal is as follows:

'I suggest that, prior to a future war, or at least at its very outset, the United States should endeavour to negotiate agreements with the belligerents, under which the United States should not challenge the right of the belligerent to restrict the flow of our neutral commerce through neutral ports to the opposing belligerent, and that in return therefore the belligerent should not confiscate but should requisition all suspected cargoes and should make compensation to the owner for all goods requisitioned. . . .'<sup>2</sup>

Mr. Warren claims that the cost of such purchases, if considered in relation to general war expenditures, would not be prohibitive. Nothing, however, in this proposal would

<sup>1</sup> Charles Warren, 'Contraband and Neutral Trade', *Proceedings of the Academy of Political Science*, vol. xvi, January 1935, p. 62.

<sup>2</sup> *Ibid.*, pp. 65-6.

prevent the opposing belligerent from continuing to intercept and destroy neutral cargoes bound for the ports of the dominant sea Power.<sup>1</sup>

According to another suggestion, if either belligerent places a certain article on the contraband list, the United States would automatically consider such article to be of war-aid to both warring parties and would therefore restrict its export to them both; it would limit the shipments of such articles to the average, pre-war, or normal amounts. Mr. Warren believes that this action would directly penalize the expansion of contraband lists. It is claimed, too, that if it restricted its exports to the pre-war average, the United States could not properly be treated by one of the belligerents as an economic base for the enemy. A further advantage claimed for this scheme is that it would prevent that unhealthy and dangerous expansion of American industry during the war which is followed by a reaction and economic crisis when the war demands cease. It would seem, however, that the plan is open to serious objection. The Power not possessing the control of the seas would not hesitate to call almost anything contraband in order that its enemy might be confined by American action to receiving from that country merely its pre-war quota. Furthermore, the plan would not prevent the belligerent with its back to the wall from interfering, by illegal means, with shipments of vital war materials, including foodstuffs, even if such goods were confined to pre-war limits. Thus the United States might not be saved from dangerous war-time complications.

As a further attempt to avoid complications in war-time, it has been suggested that no loans should be permitted to be floated in the United States, by Governments or by

<sup>1</sup> Jessup, *op. cit.*, p. 139.

private persons, for the purpose of financing the purchase of war supplies. Furthermore, the grant of credits for this purpose should be made unlawful. It is claimed that such prohibitions would make it difficult to create, among powerful American economic and financial interests, an overwhelming interest in the success of one belligerent. It may be asked, however, how such a prohibition could be made effective, since experience has shown how very difficult it is to enforce such laws. Furthermore, it might be possible for belligerents to pay in cash.

Other interesting ideas have been advanced. To prevent injuries to American citizens and the dangerous controversies which often arise from such incidents, it is suggested that passports be refused to Americans to travel in war zones, and that enlistments in foreign armies be made unlawful. Some would permit contraband to be purchased in the United States, provided that it were not carried in American bottoms. But given the fact that almost everything except ostrich feathers would probably be considered contraband, such a measure would almost be equivalent to taking the American flag off the seas. It is doubtful whether the great American shipping interests would accept such a measure without a struggle. They might claim with some justice that the trade thus abandoned to other countries might never be recovered, not at least for a long period. It took over thirty years for American shipping to recover from the self-imposed embargoes of the first part of the nineteenth century; these measures had disastrous effects upon American commerce and, furthermore, totally failed to keep the country out of war.<sup>1</sup> In fact, the lessons of those early years are

<sup>1</sup> John Dickinson, 'Neutrality and Commerce', *Proceedings of American Society of International Law*, 1935, pp. 106 et seq.

still so fresh in American minds that it would probably be impossible to obtain to-day a law providing for a total embargo of both belligerents in time of war, even if it could be proved that such heroic measures would be sure to avoid all complications over neutral rights.

A number of proposals relate to the traffic in arms. Sensational revelations resulting from important investigations before Congress have led recently to a widespread and persistent demand for laws controlling or even prohibiting the traffic in arms. It seems to be felt that the existence of vast private industries devoted to the manufacture and sale of arms is dangerous; that such interests are not particularly favourable to disarmament and peace, and that their agents have done considerable harm in this matter. There is also a feeling that such traffic is positively inhuman. Finally, it is generally believed that if the United States allowed the unhampered manufacture and sale of munitions in time of war, this would be a constant cause of dispute with at least one of the belligerents, notably the Power not in control of the sea. Consequently, many Americans believe that the United States should prohibit the export of arms to both belligerents. As Professor Hyde has pointed out, international law is at present illogical, in that it imposes no duty on neutrals to prevent the traffic in arms, although it *does* oblige the neutral to prevent the use of its territory as a base of supply for a belligerent fleet, or the fitting out, arming, and departure of vessels adapted for hostile uses.<sup>1</sup>

Some legitimate objections, however, have been made

<sup>1</sup> C. C. Hyde, 'The Arms Traffic from the Standpoint of International Law', *Proceedings of the Academy of Political Science*, cited, pp. 7-8.

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to such a plan. If those States which have no arms industries of their own can no longer count on arms-producing nations in time of war, they will be tempted to build their own munitions plants, with the result that the arms race will be intensified. No satisfactory answer has been made to this objection. And suppose that a great nation is making an aggressive war against a small, unarmed State. In such circumstances, as the Italian delegate at Geneva pointed out a few months ago, to impose a double arms embargo would be to adopt a Pontius Pilate attitude. Admiral Ruspoli, in a meeting of the Arms Traffic Committee on 25 February, 1935, made a remarkable statement, reported as follows:

‘He did not think that even the most extreme supporters of the League of Nations could contend that, if say, a powerful State tried to force a passage through the territory of a weaker State, or committed some such evident act of aggression as that, the ideals of the League would oblige them to place an embargo of the war material being manufactured for the weaker State that was being attacked. If so, it would obviously be a case of *summa jus summa injuria*, and if that were established, if there were merely the suspicion that in a case of war they would wash their hands like Pontius Pilate and treat the attacked and the aggressor in the same way, it would, he thought, undermine the whole idea of the League of Nations and the mutual trust that they wanted to establish between nations.’

### viii. *A Summary of the American Attitude—The Compromise Neutrality Bill.*

Summarizing the prevailing trends in American foreign policy, we may say that there is a general disposition to

intensify the attitude of isolation, and to rely on traditional policies, such as neutrality. This does not mean, however, indifference to the cause of peace. One of the bulwarks of pre-war neutrality—indifference to the war, its causes, its results—seems to have been greatly weakened. The American people are tremendously interested in the problem of peace and war, and their sympathies are readily aroused in favour of whom they consider the victim of aggression, especially when they believe a moral issue is at stake. Neither the people nor the Government, however, are disposed at present to transform this interest into effective co-operation with international peace machinery. They are not yet disposed to 'put teeth in the Briand-Kellogg Pact'. At the same time, in case war is threatened, the Government seems ready to consult with other nations in the effort to preserve the peace, and in certain circumstances may still be disposed to apply a new type of sanction, still of uncertain value: the non-recognition of the fruits of aggression. Otherwise, the nation is not ready to give support to collective sanctions, unless perhaps in some negative form such as was suggested by Mr. Davis at Geneva, and then only in connection with the successful conclusion of a general disarmament treaty. Dominant American opinion, however, seems to run in another direction—towards keeping the United States out of war, rather than towards the prevention of war in general. Finally, as a means of achieving this end, certain rather important changes in American policy, notably through self-imposed limitations on its neutral rights, are contemplated and some of these have already taken the form of law.

Just recently the fear of war in Europe induced Congress, during the closing hours of its session, to take emergency



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action in this matter.<sup>1</sup> What is known as the 'Compromise Neutrality Bill', adopted by Congress 24 August, 1935, may be summarized as follows:

(1) It requires the President, 'upon the outbreak or during the progress of war between two or more foreign States', to issue a proclamation and 'definitely enumerate the arms, ammunition, or implements of war, the export of which is prohibited by this Act'.

(2) A National Munitions Control Board is set up with authority to licence all firms engaged in the manufacture, importation, or exportation of arms.

(3) The President is obliged, in time of war, to forbid American vessels to carry arms, ammunition, or implements of war to belligerent ports or to neutral ports for reshipment.

(4) The President is given discretionary authority to prohibit American citizens from travelling on vessels of belligerent Powers, except at their own risk.

(5) The President is given discretionary authority to prevent the transport of men or war supplies from American ports to war vessels of belligerent nations near our territorial waters.

(6) The President is granted discretionary authority to restrict or prevent belligerent submarines from entering American ports or territorial waters.

Considerable controversy arose over the question whether the arms embargo should be mandatory or permissive. The compromise finally accepted was to the effect that while the measure is mandatory upon the President, it will lapse in February 1936. The establishment of the system of

<sup>1</sup> A number of Bills concerning neutrality had already been introduced, notably S. J. Res. 99, 100, 120 and H. J. Res. 259.

control over the manufacture and export of arms, however, is to be permanent.

Nothing is said as to shipments of contraband other than arms and munitions. Everyone knows, however, that the most crucial questions will probably arise concerning raw materials, especially those used in the manufacture of arms, and even with respect to foodstuffs. Nor does the law contain any provisions destined to prohibit or discourage the grant of loans or credits to belligerents. It may be assumed that these two tremendous problems—contraband and financial aid—proved to be too complex for precipitate action in the form of emergency legislation. Because of these important *lacunæ*, it cannot be claimed that the Bill will safeguard the United States against all possible controversies over neutral rights. Furthermore, the imperative nature of the Bill may mean that in actual practice it will work out to the disadvantage of one of the belligerents; it has even been suggested that in a war of aggression the victim State will suffer most from the application of the arms embargo. On the other hand, some European critics seem to believe that the law will facilitate the application of international sanctions. The *Temps* (Paris), in a leading article on 23 August, 1935, said as follows: 'It is quite evident that the measures of this nature, while their purpose is to obtain the strict observance of American neutrality, will result in greatly facilitating the application by other Powers of sanctions taken against a State making war in violation of its international obligations.'

President Roosevelt, when he signed the Neutrality Bill of 31 August, suggested the nature of the main defects in this legislation in the following words:

'It is the policy of this Government to avoid being drawn into wars between other nations. But it is a fact that no Congress or executive can foresee all possible future situations.

'History is filled with unforeseen situations which call for some flexibility of action. It is conceivable that a situation may arise wherein the wholly inflexible provisions of Section One of this Act might have exactly opposite effects than that which is intended. In other words, the inflexible provisions might drag us into war instead of keeping us out of one.

'The policy of this Government is one definitely committed to the maintenance of peace and the avoidance of any entanglements which might lead us into conflict. At the same time it is the policy of this Government, by every peaceful means, without entanglement, to co-operate with other similar-minded Governments, to promote peace in its several aspects.

'Further careful consideration of neutrality is needed. It is most desirable that there can and will be extension to include provisions dealing with other important aspects of our neutrality policy not dealt with in this temporary measure.'<sup>1</sup>

#### ix. *The Future of American Neutrality.*

In the light of these trends in the foreign policy of the United States, what predictions may be hazarded concerning the destiny of American neutrality? Here we enter again upon very precarious ground.

Let us consider two important situations which might arise: first, the case of a great war breaking out between two belligerents whose policies remain so obscure that it is impossible to distinguish the parts of aggressor and victim, and that international machinery designed for this purpose has not functioned properly. It is likely that the United States will establish an embargo on arms shipments to both

<sup>1</sup> *New York Herald-Tribune*, Paris, 1 September, 1935.

belligerents. If the war involves the sea, American ports will be closed to belligerent submarines, and steps will be taken to prevent the conveying of supplies and men from American ports to belligerent vessels at sea. Efforts may be made—despite the omission already noted in the latest Bill—to discourage the granting of loans and credits to the belligerents. The failure to collect loans granted in the last war may be sufficient in itself to hold such financial favours down to a minimum. It is likely that Americans will be kept from the war zones, and even forbidden to enlist in the belligerent armies. The crucial question would arise with respect to the shipment of contraband. This, as Mr. John Bassett Moore has remarked, is the keynote to the problem of neutrality. Given the failure of the new Bill to consider contraband other than arms, the United States Government may attempt to keep the seas open for such goods in accordance with 1914 conceptions of international law. Such a policy can be dangerous; it has been responsible, in large part, for the embroilment of the nation in two great wars. On the other hand, the belligerents in another war might prove to be more hesitant about interfering with American rights; they now know how quickly American forces can be mobilized and thrown into the conflict. It is true, also, that the American fleet is more powerful than ever before. As in 1915-17, the belligerent would have to weigh the chances of winning the war by violating the rights of neutrals against the chance of the neutral being drawn into the conflict, there perhaps to turn the scales in favour of the enemy. But who can say that the peculiar circumstances of the past war will be repeated?

It is possible that on an *ad hoc* basis the American

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Government will attempt to keep contraband shipments down by some system of rationing through controls established in the factory and at the frontier. Profits for clandestine traffic, however, are so great that such controls may not be effective. And there is always the chance that powerful interests, brandishing before Congress the hope of huge profits, might succeed in attenuating existing laws or in preventing the passing of new legislation necessary in order to keep American exports down to the desired limits. Anyone who studies these questions will readily see that there is no assurance that even at the present time the Congress will succeed in passing legislation capable of assuring, in time of war, that the Government will be free from complications or safe from those disputes with the belligerents which place neutrality in jeopardy.

In general we may risk this prediction, that in case of another war of the character now under discussion, American neutrality will probably be insisted upon by the Government, but that it is likely to be a new type of neutrality, in which American rights will be strictly limited by self-imposed restrictions inspired by the constant fear of being embroiled in the conflict, but whose precise nature will depend on the circumstances.

Second situation: suppose, however, that the war is of a different character, and that it has been possible to determine the aggressor, despite all those difficulties which enemies of international sanctions are so fond of emphasizing. And suppose the organized collectivity has succeeded—this also in spite of the many difficulties sure to be present—in setting in motion, to the detriment of the aggressor, certain economic sanctions. What will the United States do? Will it insist upon its traditional neutral rights

of trade with both belligerents, the aggressor included, even if the latter has violated the Pact of Paris, so strongly supported by Washington?

The question is not an easy one. Had a general disarmament treaty been concluded, the United States, as announced by Mr. Davis, might have been ready to make certain changes in its neutral policy in order not to interfere with collective police action. We are hardly justified, however, in assuming that such a treaty will be concluded, or that the American Senate will implement the Davis proposal. We may say with some assurance, however, that very probably the United States will have consulted with other interested States during the course of the negotiations leading up to the determination of the aggressor. These negotiations may have been prolonged, and a committee of inquiry may have had to devote months to an investigation of the dispute. During this period, the policy of the United States would probably undergo no change, except perhaps through the prohibition of arms shipments to both disputants. Furthermore, once the aggressor has been determined, any action taken by the United States with respect to its neutrality would be upon an *ad hoc* basis. My own personal opinion is that while it is true that the United States is not disposed at present to bind itself as to what action it would take in such a case, yet if the occasion did arise, it is not conceivable that the United States would allow its citizens to trade with both aggressor and victim, thereby compromising the success of the international police measures. There is every probability that Americans would be profoundly impressed and moved by such a moral issue, and would probably insist that the Government act so as not to prejudice the cause of peace. But given the divergence of opinion over the proper interpretation of the Pact of Paris, even if

that treaty were violated by the aggressor, it is not likely that the Government would risk action contrary to its pre-war conception of neutral duties. It would be possible, however, even by maintaining a legal impartiality between the two belligerents, and respecting the law of neutrality, to help the cause of peace, although perhaps in a negative way. For example, if the aggressor State controls the sea, a double embargo—quite in conformity with neutral duties—could be applied by the United States. As the victim in no case would be getting American shipments, or at least few of them, the aggressor alone would suffer. If, on the other hand, the victim State or sanction-enforcing State control the seas, trade could be permitted with both belligerents—again in harmony with neutrality—and as the aggressor in no case would be getting American shipments, only the victim would profit. Other special interpretations of its policy would be legitimate for the United States, enabling it to contribute to the success of such sanctions without doing violence to traditional conceptions of neutrality.

#### x. *Conclusion.*

In conclusion, let me offer as my personal conviction that eventually it will become impossible for the United States to remain neutral. The institution of neutrality is doomed, for the United States and for all other countries. As M. Politis insists in his remarkable book, *La Neutralité et la Paix*, NEUTRALITY IS MERELY A PRODUCT OF THE PRESENT INTERNATIONAL ANARCHY.<sup>1</sup> It is inconceivable in any

<sup>1</sup> Whitton, 'La neutralité et la Société des Nations', *Recueil de l'Académie de la Haye*, vol. xvii (1927), pp. 451 et seq.; see also same author, *Proceedings of the American Society of International Law*, 1935, pp. 135-8.

really organized community. That it has persisted so long in international law is proof that the society of States is still in a stage of primitive law, characterized by the prevalence of self-help. Neutrality may be imperative so long as nations, as Thomas Hobbes said, are in a state of nature, their mutual relations governed not so much by norms of human conduct as by natural laws which control the shock of physical forces. Neutrality was inevitable when all wars were presumed to be legal or 'just'. It was perhaps admissible when no international machinery existed to determine the justice or injustice of a conflict, and when no international measures were available to be put into action against the law-breaker. Neutrality had some philosophical basis when the doctrine of exclusive sovereignty of States dominated international relations, and when, before the days of Article 11 of the Covenant, non-belligerents were supposed to be indifferent to war, its causes, and its consequences. But neutrality has no proper place in the world of to-day. The post-war society of nations is endowed with certain principles, and is furnished with certain institutions, which are wholly incompatible with the institution of neutrality. Once these principles have been completely accepted and applied, and in all sincerity, and once these institutions have been made to function as they were intended to function—all that lacks to-day is the will to do so—then neutrality will have to disappear, and with it American neutrality as well.

For it is true, still true, that magnificent statement by the supreme coiner of phrases, President Woodrow Wilson: 'NEUTRALITY IS NO LONGER FEASIBLE OR DESIRABLE WHERE THE PEACE OF THE WORLD IS INVOLVED AND THE FREEDOM OF ITS PEOPLE.'



## CHAPTER VI

# PEACE IN THE FAR EAST AND THE COLLECTIVE SYSTEM

by

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### i. *The Failure of the Collective System in the Far East.*

THE important discussions on collective security which took place in London last summer centred mainly upon the European theatre. The Far East was brought in only in so far as it seemed to bear upon the collective system in Europe. *Prima facie* the Far East might be considered as a separate problem. This region is so remote that a conflict of arms might take place there without disturbing the peace of Europe. It is just possible that Japan and Russia (and no other nation) might become involved in a struggle over territorial possessions in the Far East; that Japan and China (and no other nation) might come to blows; or, that there might be a rupture between Russia and China. Or we might envisage a struggle between the United States on one side of the Pacific (allied perhaps with China or Russia) and Japan on the other. But such a struggle would be most unlikely to run its course without overflowing the limits of the Far East.

The problem, however, is not so clear cut. There is, in fact, no real isolation of East and West. What appears

to be a complete severance is due to the tiredness and pre-occupation of the Western nations and their reluctance to become involved in any disputes additional to those of Europe. Besides the States already mentioned there are two other categories of peoples concerned in the maintenance of peace in the Pacific basin, which impinge upon the problem in an oblique manner. In the first place there is a group of Asiatic peoples which are non-sovereign, and whose participation in any Pacific negotiations is through a suzerain Power in the Western system. The countries in this category are Indo-China, India, the Philippines, and the Dutch East Indies, all colonies dependent upon Powers within the Western system, which would inevitably be drawn in if the interests of their colonies were threatened. Then there is a group of self-governing nations in the Pacific, represented by Canada, Australia, and New Zealand. Through the Statute of Westminster and other instruments of a less definite character, these States are autonomous and are theoretically free to decide the question of peace and war for themselves. They cannot be drawn into any conflict without their consent; nor can they automatically commit the Mother Country or each other to participation in their own foreign quarrels. Yet it is morally certain that a breach of the peace affecting any of them would involve some of the others; and equally certain that any breach in which Great Britain might be engaged would still call in one or all of the self-governing dominions. In that contingency New Zealand's attitude could be taken as a foregone conclusion with more confidence than that of the other dominions, even if the Prime Minister had not definitely stated it. In the House of Representatives on 18 February, he said:

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'The British dominions are not parties to this proposed pact just as they were not parties to the Treaty of Locarno, but if the arrangement comes into force, and if ever the nations that are parties to the arrangement are required to apply the proposed guarantees, then there must be no blinking at the fact that if Great Britain became involved in war, New Zealand would also be involved. This is so, not only because of the legal position as we accept it in New Zealand (though there is some difference of opinion on this matter in certain other dominions); it is so because the sentiment of this country would inevitably insist on New Zealand standing shoulder to shoulder with Great Britain in such circumstances; and, even were these two reasons absent, any catastrophe that affects Great Britain must inevitably affect New Zealand also, bound up as we are in the welfare of the Old Country.'

Lord Lothian in a recent issue of *International Affairs* traced carefully the machinery of collective security which functioned in the Far East during the first decades of this century. The most important instruments were the Anglo-Japanese Alliance; the four-Power and nine-Power treaties of Washington; the Kellogg Pact and (remotely) the Monroe Doctrine. Of these the Anglo-Japanese Alliance stabilized power for twenty years. It gave Japan security to complete her economic organization on the Western model; it enabled Great Britain to withdraw naval forces from the Pacific when they were required elsewhere. It is (erroneously, I think) supposed to have protected Australia against invasion by Japanese.

At the Washington Conference of 1921 a new order of things was initiated. Hitherto Great Britain had not regarded Japan as a possible naval rival. Her naval building had been dictated rather by the determination to maintain an equality in capital ships with the United States. Then

the centre of gravity moved sensibly from the Western arena towards the Pacific, with a noticeable modification of opinion in the Anglo-Saxon countries. While Australia and New Zealand regarded the Anglo-Japanese Alliance as an aid to their own security, opinion in North America was definitely hostile to Japan. The United States now felt impelled to go on building capital ships so long as Great Britain should appear to be bound by an alliance which might call her to Japan's aid. Canada, whose outlook on foreign affairs naturally coincided with that of the United States, impugned the Alliance on the ground that the adherence to such a treaty of Great Britain, Australia, and New Zealand could not fail to engender bitterness and distrust in the United States. It was apparently on the advocacy of Canada (and in accordance with the spirit of the Covenant—particularly of Article 20) that the Alliance was replaced by a four-Power pact in the Pacific.

The outcome of the Washington Conference, then, was a series of agreements designed to stabilize the *status quo* in the Pacific for a new term. One of these purported to provide for equality of security in the Far East as between Great Britain, the United States, and Japan, by the adoption of a ratio in capital ships expressed in the formula 5, 5, 3; and by prohibiting the fortification of any islands in the area bounded by the three strategic bases—Honolulu, Hongkong and Yokosuka. The integrity of China (which then included Manchuria) and the maintenance of the open door, were recognized, at that date, as the collective responsibility of nine Powers having Pacific interests: the United States, Great Britain, Japan, France, China, Holland, Italy, Belgium, and Portugal.

The Manchurian incident ended the Far-Eastern system

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of collective security in a very deplorable manner by an assault on the weakest signatory by the strongest. Had the Western nations not been engrossed in political and economic difficulties which appeared to them of greater importance, they must have realized long before this that the system had vanished.

### ii. *Reasons for the Japanese Invasion of Manchuria.*

It may not be out of place to refer once more to the forces, mainly economic, which prompted Japan to her policy of expansion by violence. Japan to-day has a population of something like seventy millions confined on a smaller cultivable area than that of Great Britain, and in a climate somewhat similar. Her position is much more difficult than that of Britain about 150 years ago. With a very high birth-rate the annual natural increase of the population is about one million souls, but with labour cheap and machine-industry highly developed, Japan would have no difficulty in providing for her population within her own borders if she had freedom of action in world markets. When England was at a similar stage of her development she had a virgin world to exploit and uncontested markets at her disposal. At present Japan can produce manufactures in unlimited quantity and of reasonable quality at prices very much below the cost of similar commodities produced within the Western system. The impact of this new competition upon Western standards would in normal conditions have been severely damaging. It came as a staggering blow when the West was already suffering from a grave economic depression. No reasonable adjustment of tariffs could soften such a shock; and the Western nations used the pretext of their own perplexities to discriminate against the manufactures of

Japan. The moral necessities of Japan were not less pressing than our own, but the West opposed a stone wall of denial to all her requests. None of the luxurious, highly capitalized nations could bring itself to open the dyke and thus unite the two sea-levels of Eastern and Western living standards, with the obvious prospect of lowering its own. It is no fault of the Japanese. We realize now that their advent in world competition is merely the spearhead of the whole Eastern system in its combat with that of the West.

Japan must provide for the future of her teeming population. The fact that the annual rate of increase in Japan shows signs of slowing down is a perfectly normal development upon which the West cannot base any rosy hopes. It may be argued that the need for overseas markets does not justify Japan in the seizure of a country which is producing mainly raw materials; but it is not easy to separate into watertight compartments the various niceties of needs and the means adopted to supply them. The student of Eastern economics will admit Japan's need both for raw materials, such as iron, coal, and oil, and for an open market for her manufactures. Emigration is no solution. The Japanese are not an emigrating people. Variations of climate do not explain the fact that after sixty years' effort to increase emigration there are still not one million Japanese people living overseas, i.e. not as many as a single year's natural increase of population.

In its response to the demands of Japan, the West has been neither helpful nor conciliatory. The action taken by the British Empire (in the belief that it was necessary at all costs to keep out Japanese competition) is typical of the stern conduct of the whole of the Western world. Professor Quincy Wright, at the Royal Institute of International

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Affairs in November 1934, showed that the United States was no less rigid. It refused equality to Japanese in the Covenant of the League and in the immigration restriction Acts five years later; and in 1928, when an association of Japanese merchants petitioned for freedom for Japanese imports which were in no way competitive, Congress replied by raising the tariff. 'I think', adds Professor Wright, 'that if the United States had paid more attention to what I call the moral economic necessities of Japan possibly Japanese loyalty to the Washington treaties would have been maintained.' Lord Lothian's remarks on a cognate point are interesting:

"The argument of the military party in Japan is that Japan, as an island with from sixty to seventy million inhabitants, can only fulfil her destiny by developing the raw materials of Eastern Asia, manufacturing them in the factories of Japan, and selling them back again in the privileged and protected markets of Eastern Asia. . . . The objection from the extremist Japanese point of view to the Washington treaties is that they give to Great Britain and the United States the legal right under the nine-Power collective system to maintain the open door and the integrity of China, and also the physical power, if they choose to combine, to intervene effectively in Japan's plans if she endeavoured to absorb China or became engaged in a war with Russia."

I believe that is only a partial statement of Japanese policy. There is no evidence that Japan would be permanently content to receive freedom merely in the markets of the Far East. All other nations expect reasonable freedom in the markets of the whole world; the tempo of Japan's industrialization compels her to demand full freedom. It is not a merely ephemeral question, and the West must face it in all its implications.

iii. *Results of the Japanese Invasion of Manchuria.*

It is four years since Japan, by her action in Manchuria, showed her determination to satisfy her economic needs by violently separating Manchuria from the sovereignty of China and erecting it into a quasi-independent State. At that moment the *status quo* of the Washington agreements ended. It was the death knell of collective security in the Far East. There followed further operations by the Japanese armies in Manchuria, the neighbouring provinces, and the vicinity of Shanghai. In all of these Japan broke the Covenant of the League of Nations and of the Kellogg Pact, both of which, hitherto, she had honoured. She had complete security. The ratio of 5, 5, 3 fixed at Washington allowed her three units to defend a single front in her own waters, whereas Great Britain had only five units to defend her whole wide Empire, and the United States a similar strength to defend her frontiers and fight, if necessary, 6,000 miles from her seaboard. Moreover, Japan had in her favour the war-weariness and economic perplexities of the other two Powers. In fact she was paramount.

Public opinion in most of the League countries was incensed at Japan's action, but too war-weary to insist on a forcible protest. In the conditions prevailing in 1931 it was out of the question for any of the Western Powers to intervene actively. Economic sanctions were discussed timidly but dismissed by perplexed diplomats who knew how frail is the dividing line between economic and military warfare. Long after events had crystallized into permanent conditions, a fact-finding commission appointed by the League reached the scene of the dispute. On 7 January, 1932, the United States' Secretary of State (Mr. Stimson) made



his declaration that 'the American Government deems it to be its duty to notify both the Government of the Chinese Republic and the Imperial Japanese Government that it does not intend to recognize any situation, treaty, or agreement which may be brought about by means contrary to the covenants and obligations of the Pact of Paris'. The League Council took this as its keynote when it resolved 'that no infringement of the territorial integrity and no change in the political independence of any member of the League brought about in disregard of Article 10 of the League Covenant, ought to be recognized as valid by the members of the League of Nations'. The slow action of the League processes was in favour of Japan. In March 1933 the Council took action on the Lytton Commission's report (which was signed in September 1932); and passed a resolution condemning the action of Japan and calling upon the member nations to refuse recognition to Manchukuo. Japan forthwith gave notice of her intention to withdraw from the League at the termination of the statutory two years, and informed the world that Manchukuo would give the best consideration to nations which recognized her as an international entity. That restricted the favours of the new State to Japan herself, who in fact has enjoyed most of the benefits so far bestowed upon foreign nations. The cumulative effect of this policy of non-recognition has been to constitute of Manchukuo a closed sphere, almost an economic province of the Japanese empire.

Meanwhile Japanese trade continued to increase rapidly, and her demand for a share in world markets was pressed continuously. Every demand was rejected by a perplexed, but not necessarily hostile, British Government. Early in 1933 the Anglo-Japanese Commercial Treaty

was denounced by Great Britain in respect of the Crown Colonies in West Africa, and then the Indo-Japanese agreement. A year later an agreement which was partially satisfactory was concluded between Japan and India. Later in the year negotiations with the British Foreign Office failed, and certain Crown Colonies were instructed to apply the quota to imports of cotton and rayon piecegoods from Japan. It is scarcely surprising that Japan felt that she was the victim of some such policy as the 'encirclement' of which Germany complained a generation ago.

As to the reaction of the British Dominions in the Pacific to the events of the past few years, some commentators have been rather facetious. Mr. Toynbee, for instance, in an article in *Pacific Affairs*, refers to the relief which Australia and New Zealand felt at the direction in which Japan moved. He writes: 'Thank goodness, say these Anglo-Saxon South Sea Islanders, that the Japanese tiger has sprung northward instead of southward. When he has slaked his thirst on Chinese blood he will have no craving for ours.'<sup>1</sup>

But this was not the first reaction to the startling intelligence from Mukden. In spite of the tradition that we in Australia and New Zealand have lived for the last quarter of a century in fear lest the Japanese should invade us, the first sentiment generally felt and emphatically expressed was indignation at the action of Japan and warm sympathy for China. As far as scrapping treaties is concerned, the people of Australia and New Zealand felt as keenly as those of Great Britain and the United States the undignified impotence with which they had to look on. As for the alleged fear of Japanese expansion in the South Pacific,

<sup>1</sup> *Pacific Affairs*, vol. vii, p. 8.

I never expected a sensible tiger to pass by the substantial carcass of China at its doors in favour of the distant cadavers of Australia and New Zealand. And to-day the Singapore base is another insurance of immunity.

Manchukuo is now in every sense a closed book. The formal condemnation of Japan's conduct by the Powers and by the League does not alter the position. Recognition is not essential to the maintenance of the new *status quo*. Manchukuo is functioning as a State, and not one acre of Manchurian territory will go back to China. Lord Lothian last December seemed to base some hopes on the political struggle in Japan, and to believe that financial stress might bring the extremists to grief; but he did not suggest that any party coming into power would restore the recent Japanese conquests or recede from the demands that have since been made upon China. Japan is committed to a policy of power diplomacy from which she cannot recede; and we of the Western world have a definite share of the responsibility if not for forcing her into it, at any rate for making it seem justifiable. The feeling of resentment and insecurity in the Pacific dominions has not prevented us from appreciating the necessities of Japan. Denied freedom of trade with the world, she proposes to devote her attention to the great prize at her own doors. We should probably do the same in similar circumstances. China is potentially the greatest market in the world, an Eastern market, and a cheap market; yet a rise of a penny a day in the purchasing power of each Chinese family would yield an increase of £80,000,000 in the annual value of this market. In 1918 Japanese imports and exports amounted to 38.65 per cent of the total value of China's trade. Even after the World War her share never fell below 25 per cent (until 1932, when it

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was depressed by the Chinese boycott to 17 per cent). The share of the United States, though increased to 21·16 per cent by that same demonstration, was only 15·21 per cent in the normal year 1928. In 1931 the shares of the leading nations in the foreign trade of China were as follows:

	<i>Per cent</i>
Japan .. ..	23·93
United States .. ..	18·85
Hongkong .. ..	15·81
Great Britain● .. ..	7·88
Germany .. ..	4·55
India .. ..	4·41

In face of her continued failure to gain a free hand in world trade, Japan decided to accept no restriction as to the size of her Navy. In the preliminary naval conversations she was called upon by Great Britain and the United States to say in what way she had felt insecure in the past. It was argued that owing to the different geographical conditions of the three naval Powers she enjoyed under the 5, 5, 3 formula a virtual equality which would become a decided superiority if 5, 5, 5 were adopted as the formula. Upon that point there can hardly be any difference of opinion. Professor Quincy Wright only reiterates the opinion of other authorities when he says:

‘Japan is in a naval position which would make it suicide for any of the naval Powers individually, or even for several of them in combination, to attempt to contest Japan’s position in the Far East, operating from bases that are far distant.’

Mr. Hector Bywater says:

‘For reasons too numerous to detail it is in the last degree improbable that Japan would undertake any large offensive against

the American mainland or even Hawaii. To do so would be to dissipate its forces and play right into America's hand. With all the advantages of a position ideal for waging an offensive and defensive campaign in its own waters Japan would be mad to attempt any big stroke across the Pacific.<sup>1</sup>

Following on her abrogation of the Washington treaties, Japan has taken a more and more definite position as the dominant Power in China. She has made a series of new demands month by month, while her armies have penetrated farther into the northern provinces of China, where resistance to the Nanking government still prevails. But she has not ignored the salutary warning of the boycott in 1932 that the goodwill of a great consuming people is essential to the manufacturer's prosperity. This concentration on consolidating her position in China and co-operating with the Chinese Government is the common-sense course for Japan to adopt. With her help, China has a good hope of reaching that state of peace which is favourable to Japan's trading interests as well as vital to herself. When that is attained the struggle between Europe and Asia in this region will be intensified, with its repercussions in India and Africa. The whole Western system will be challenged by economic ordeal. The task for Great Britain and the United States is no longer the old task of protecting their nationals in China, but protecting their economic well-being against every species of attack, legislative and economic. With Japanese influence increasing in China the open door is in jeopardy. We may call this the integrity of China, because poor China is the *corpus vile* in the struggle. The tragedy of this lovable people appeals strongly to the sympathy of the British Empire, which cannot escape the keen-edged

<sup>1</sup> *Pacific Affairs*, June 1935.

rebuke of Dr. T. F. Tsiang, professor of history at Tsinghua University in Peiping, in a recent paper at the Royal Institute of International Affairs:

‘While trying to create amity we are at the same time trying to give our country the needed modern material equipment such as industries, railways, airlines, a modern army, etc., as well as a modern social and political organization. . . . We are making the adjustments necessary for the change from isolation to world life. While making this attempt we are constantly interfered with. Christianity takes away from our Government part of its essential powers. . . . Our neighbour Japan thinks it is to her interest not to allow the unification and modernization of China to proceed without exacting in time a good price for her acquiescence. As things stand, no party or leader can go ahead with the twofold task of unification and modernization if that party or leader is known to be anti-Japanese.’

iv. *The Future of Peace and the Collective System in the Far East.*

What, then, is the outlook for peace and collective security in the Far East? If peace can be said to endure while one nation suffers violence from another even without the recognized forms of being at war; while economic competition is inflicting grave suffering upon millions, in the East directly, and in the Western world as the outcome of events in the East, then it may still be possible to believe that we have had peace in the Far East. As for a war of armaments, there is to-day only one Power which is capable of waging war in the Far East. Japan's superiority is enhanced by the scrapping of the Washington treaties and by her concentration on China. In that field she is invulnerable until two such Powers as the United States and Great Britain

recognize her as the spearhead of the economic assault of the East, vitally affecting their own future. Until then peace in the Far East involves the acquiescence of the tired Western Powers in abandoning all agreements and in dragooning of China. I do not use that word offensively. It may well be that China's ultimate good will be served by this intervention of a strong Asiatic Power to assist her by establishing the peace which she so urgently requires and has so hopelessly struggled for. Both Britain and the United States wish to see the Washington treaties adhered to. Professor Quincy Wright declares that the United States will not abandon the open door and the territorial integrity of China, which are part of her traditional foreign policy, 'but we may modify our methods for carrying out the policy of the open door'.

At present collective security does not exist in our part of the world. Nations have not advanced so far that great prizes may lie unguarded, and that inoffensive people may live unmolested within their own borders. Japan has shown, in her return to the old Power diplomacy, that she is as indifferent to the approval or disapproval of other nations as Britain and other Powers were in the past. Most of us hoped, I think, to see a system of Collective Security based upon the combined moral conscience of all nations. But recent events suggest that there can be no collective security apart from a real balance of power. Washington was based on an equation of navies which had interests to defend in the Far East. When these Powers, distracted by their own difficulties, withdrew their striking power, that equation was wanting. Russia, though a great potential force, also deeply concerned, is as yet unable to provide an adequate counterpoise to Japan; and Japan therefore becomes

able to implement whatever policy she decides upon. She has strengthened her hand in two important respects; first in concentrating upon her own region of Eastern Asia; and second in endeavouring earnestly to gain the goodwill and co-operation of the Chinese Government and people.

Public opinion in Australia and New Zealand was at first indignant at the action of Japan in violating the sovereignty of China in Manchuria. That this resentment has died down is not entirely due to relief that the tiger has sprung on somebody not ourselves. It is due in some measure to the recognition by our people of the real necessities of Japan. We are, of course, much closer to the Far East than the people of Europe and than many of those of North America; but this would not have carried us far but for the fine educative work carried on in all the countries round the Pacific by the Institute of Pacific Relations. Important projects of study and research have been carried out in all of these countries; and many valuable reports have been published leading up to the biennial conferences at which free discussions of our mutual problems have been held. During the last two or three years the Institute has been concentrating on the crucial problem of standards of living in the Pacific basin. As far as this has gone it has inevitably brought to light many inequalities of resources and opportunities, and has illumined the legitimate aspirations not only of Japan but of other Asiatic peoples. These are quite well understood in both Australia and New Zealand. How these requirements were to be met did not appear to be our immediate problem. We ourselves were on the defensive; we also denied Japan's appeals and helped to force her back upon her own solution.



❖ *The Need for Peaceful Change.*

Deplorable as they are from the point of view of the League and of the principle of collective security, events in the Far East emphasize the pressing importance of providing for peaceful change.

Do the people of the West realize that they have thrown down the gage to the East; would they do so if they did realize what it meant? I fully agree with Professor Toynbee that as far as the English-speaking peoples are concerned they would prefer not to precipitate a struggle. But I agree also with his conclusion:

'It is not enough to be passively innocent of a passion to commit suicide. If we are to be saved we have to take positive steps to restrain ourselves from laying violent hands on each other. And one feasible and effective step for the English-speaking peoples to take is to give the congested Japanese nation breathing space by reopening our markets to Japan's foreign trade. If Japan is prevented from finding provision for her natural increase of population by the civilized means of expanding her exports and so increasing her power to purchase foreign foodstuffs, there is only one desperate alternative left open to her. In a world which is hag-ridden by economic nationalism so that the only markets and sources of supply to which a nation has access are those that are covered by its own national flag, the sole resource left open to overpopulated States is to seize additional territory from their neighbours by force.'

That states the fact very baldly. It was stated earlier by Professor Rappard. In a reasoned commentary on the Manchurian incident he declared that unless and until the League devised some legal means of authorizing, regulating, and controlling normal and inevitable expansion, it will be exposed to outbursts of violence such as that of Japan.

He called for the institution of effective methods of treaty revision, pointing out that 'the pacific organization of mankind would seem to call for a greater measure of subordination of national sovereignty to the interests, needs, and rights of the world community'.

Many of the delegates to the Conference on Collective Security in London this summer must have felt the urgency of this. Great skill and wisdom were shown by the jurists present in devising the outlines of a system which would keep the peace of the world upon the basis of the *status quo*; but it seemed to me that the foundations upon which that system should be erected were not sufficiently considered. It must be based upon the cordial acceptance and goodwill of the nations concerned. These are not purely juristic matters; they belong to the realm of economics and political science. It is notorious that a large proportion of men and women belong to nations which are to-day discontented, living under a sense of grievance in having been despoiled—through the war and the peace—of territory, economic resources or ethnic details which they consider belong properly to them. If any proposed system of collective security is to be based upon the continuance of these conditions, or even if it merely implies the justice and the permanence of this *status quo*, then it cannot possibly be acceptable to the aggrieved nations. Even if accepted formally it could not possibly endure. The Powers dominant in the League to-day are Powers which were the victors in the war, and their allies. Japan did not profit by the satisfaction of her material needs. Otherwise most of them hold territory and resources which are coveted, and sometimes urgently required, by aggrieved nations. Has any one of them shown a disposition to

initiate the promised revision or restitution? Is the outlook for States so despoiled any better to-day than ever it was? We know that comparatively small States which profited by the peace treaty have declared emphatically that they will not tolerate revision; while mandatory Powers have spoken openly of the full sovereignty of their mandates. Are not we who declare ourselves in these terms prime offenders against the principle of collective security, since we seek to maintain a condition which we know to be unjust as the only basis of our proposed system? There is great force in M. Rappard's plea for the subordination of national rights to the common good. In fact, this sacrifice is demanded of all nations which sincerely desire collective security based on justice and which admit that the peace treaties were something less than just. Each nation must try to denationalize itself sufficiently to consider honestly what it should do by way of voluntary concession to remedy the grievances of the vanquished nations and thus make possible the cordial acceptance of a new system. What these sacrifices might be is for each of us to consider individually. Professor Quincy Wright has suggested that while the United States will not abandon the open door or allow Japan her own way in China, she may offer an olive branch in matters of trade and immigration and may appease the moral resentment of Japan by giving her a quota. [The cases of Japan and, say, Germany, may not be considered analogous, but the economic needs of both are well understood and are left unsatisfied for lack of proper provision for peaceful change.]

If I have seemed to insist too strongly upon this subject of peaceful change, do not suppose that I am unaware of the great difficulties in the way. It is almost an axiom that no nation will surrender a foot of territory without a struggle;

but to accept that as a final reason for shirking the subject would be to acquiesce in a *status quo* which most of us believe to be unjust and to ignore the duty laid upon the League members of providing the necessary machinery for adjustment. If we take that path of least resistance, then we might as well admit frankly that the Covenant of the League has no longer any force, because the other great goal of 1919, general disarmament, cannot now come without the previous redress of grievances by peaceful change. Great interest now attaches to the next conference of the International Institute of Intellectual Co-operation, which is to consider 'the basic difficulties in and the procedure for the peaceful solution of economic, social, and territorial problems with special reference to questions of (a) population, migration, and colonization; and (b) markets and the distribution of raw materials'.

Japan's future course will be watched with interest and some anxiety. Having failed in her appeals for satisfaction of her economic needs, she may conceivably refuse to bargain in future, forging ahead to conquer her rights by her armaments and her economic efficiency. Conscious of her ability to defeat the West in machine production, and of her military strength to 'sanction' her successive demands, she no longer values Western opinion because it refused to consider the justice of her own appeal. Thus we are brought face to face with a conflict of living standards. Time will, of course, tend to correct the inequalities of to-day. The very prosperity of Japanese industry, while inevitably depressing Western living standards, will slowly raise the standards of the East. Eventually they will probably come to a common level; but the West must suffer great losses in the years before the standards meet.

While this menace is clear and challenging, the Western Powers are so distraught by their own disputes that they cannot realize the gravity of any outside peril.

vi. *Alternative Solutions for the Problem of the Far East.*

To sum up, the collective system of security does not now exist in the Pacific because there is no real balance of power to make it effective. There can be no return to this balance without one of three developments; namely:

(1) Great Britain and the United States must return without reservation to support their obligations in the Pacific. This is impossible until the European imbroglio is solved and the United States has recovered economically.

Or (2) Russia must increase her strength in Eastern Asia sufficiently to be an effective counterpoise to Japan. This is still remote, but Russia's power in Eastern Asia is already appreciable.

Or (3) China must acquire sufficient strength to assert her sovereignty within her own borders and defend herself against attack. There can be no peace or stability while China is a helpless temptation to her neighbours.

In the meantime the outlook is clear enough if not pleasant. The continuance of peace, real or quasi, will involve for a time the acceptance of such demands as Japan may continue to make on China until the return of British or American diplomacy in force. Japan being clearly engrossed with this important policy on the mainland of Asia, it is unlikely that she will embark upon any aggression either in the South Pacific or against North America. Her future policy is likely to be intensely Asiatic, and will only be defeated of complete economic hegemony in Eastern Asia by the return of British and American naval power. As soon as Europe's

disputes are settled and the Western nations have time to think of Eastern Asia, they will be so shocked at the peril to their social well-being that they will tend to come together in foreign affairs, at any rate *vis-à-vis* Asia, in the hope of saving something of their living standards. It will then be seen that Japan's demand is not for regions of trade but for a due share of world trade wherever the quality and price of her manufactures meet the needs of a particular market. •

Of the many problems which face the League to-day none is more urgent than this of implementing the promise to provide for changing conditions. It is promised in the Covenant that treaties may be revised to remedy the grievances of nations living under conditions of penalty, and it is no less urgent to adjust changes in economic equilibrium. This onus lies heavy and undischarged upon the League to-day, and there can be little hope of regaining the adherence of seceded members and bringing in new members if it is not tackled promptly and courageously by those who still believe in collective security under League auspices.

## CHAPTER VII

# THE SOCIAL BASIS OF WORLD ORDER

by

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### i. *Introduction.*

OBVIOUSLY it would be impossible for any writer, however omniscient, to discuss in one short paper all that is involved in the words 'The Social Basis of World Order', so that some subdivision of my subject is inevitable. I might, perhaps, have taken economic reconstruction as my starting-point. I could argue that even if we managed to get the world out of its present depression, by stabilizing exchanges, abolishing trade barriers, cancelling debts, reorganizing credit, and so on, we should yet be a long way from a satisfactory world order if we still had huge armies of unemployed and had still failed to solve even for those in work the problem of what Priestley, in his *English Journey*, calls the problem of 'robot employment and robot leisure'. Or I might have chosen politics as my starting-point and reminded you that you cannot have good government unless you have good citizens, and that you cannot have good citizens unless you have good social conditions. But that subject was dealt with very fully in a former volume in this series.<sup>1</sup> Still, there are aspects of the problem of building up and developing a world order which usually receive

<sup>1</sup> See *Problems of Peace* (9th Series): 'Social Justice and World Peace', by E. J. Phelan.

little of the attention that they deserve on grounds of morality and self-interest alike, and a discussion of these may throw light on some of the underlying causes of the grave breaches of the peace that we have seen.

I shall begin, therefore, by stressing the word 'world'.

Even those of us who try to be internationalists suffer under the common handicap that we do not habitually think in terms of the world but in terms of our own country first, and secondly in terms of the group of countries of Western civilization to which our own country belongs. Occasionally we are compelled, by a Japanese occupation of Manchuria or an Italian threat to occupy Ethiopia, to give some thought to the rest of the world; but even then we tend to be more concerned with the immediate reactions of such events upon our own countries than with their significance to the world as a whole. That is a natural habit of mind, but we have got to get out of it. If we are to have any sort of order, it has got to be based upon some measure of intelligence and forethought, of justice and humanity—or, in other words, to some degree on common sense and decency. And the order has got to be a world order, because the peoples who are pleased to call themselves white are at present living on the backs of the other peoples whose skins are an honest brown, black, or yellow, and doing so in a way that reveals neither common sense nor decency, with the result that what little order does exist in the world is in constant danger of crumbling to pieces.

ii. *The Distribution of the World's Economic Resources.*

To a large and increasing degree we are dependent economically upon the resources of countries whose peoples are



dependent politically upon us, and underlying this fact is a whole series of social problems that must be solved before we can have a world order.

Let me give a few illustrations of our dependence upon our dependants. Virtually all the rubber that we use comes from colonial dependencies in Asia—57 per cent from British Malaya and 30 per cent from the Netherlands East Indies. Palm and palm-kernel oil comes to the extent of almost 90 per cent from Africa (almost 50 per cent from Nigeria), the remaining 10 per cent coming from the Netherlands East Indies. Three-quarters of the world production of hard fibres (hemp and sisal) comes from colonial dependencies. Asia accounts for two-thirds of the world's production of tin ore—34 per cent coming from the Federated Malay States and 19 per cent from the Netherlands East Indies. Of chrome ore, 36 per cent comes from Southern Rhodesia, and of the balance over one-sixth from New Caledonia and about one-seventh from India. In the case of copper, Canada and the United States of America produced in 1931 43 per cent of all the ore mined; but whereas in 1923 the Belgian Congo produced less than 5 per cent of the total, its share in 1930 and 1931 was getting on for 9 per cent, while the share of Rhodesia, which was only 0.2 per cent in 1923 and still less than 0.5 per cent in 1930, had risen to 10 per cent in 1932.<sup>1</sup>

[ Rubber, palm oil, fibres, tin, copper, and chrome are typical products which are indispensable to our industrial civilization. }  
The economic development, and hence the livelihood of the people, of any country that has not as good access to

<sup>1</sup> Percentages calculated from the figures given in the *Statistical Year Book of the League of Nations for 1933*, and *An Economic Survey of the British Empire, 1932* (Colonial Office, London, 1934).

such materials as its rivals is necessarily insecure.<sup>1</sup> And you will have noticed that five out of the six products for which I have given figures come either almost exclusively or in very large proportion from dependent areas, and that even in the case of copper, most of which still comes from politically independent countries, a very rapid increase of production is taking place in dependent areas. Is it necessary to remind you upon whom these dependent areas are dependent?

It would be outside my province to discuss in detail the question of the distribution of colonial possessions. The outstanding fact is that 'the richest raw material regions of the world are in great part under the dominance of the Anglo-American Powers; and these two national groups, which account for over 60 per cent of the world's industrial output and exercise financial or sovereign control over 75 per cent of the mineral resources, hold the balance of power in so far as the essential commodities of peace and war are concerned'.<sup>2</sup> England long ago grabbed the lion's share of colonial spoils, but Belgium, Holland, and France possess empires respectively eighty, sixty, and twenty times the size of the metropolitan country. Even when mandates were being distributed after the World War, the distribution was on the principle of 'to him that hath shall be given'. It can, of course, be argued that political control and economic

<sup>1</sup> Cf., for a study of this question in relation to materials indispensable for waging war, *The Strategy of Raw Materials*, by Brooks Emeny (New York, Macmillan Company, 1934). It has been stated that there are at least thirty materials essential to war which are produced either not at all or in quite insufficient quantities in the U.S.A. (*Dependent America*, by Wm. Redfield, quoted in *Imperialism and World Politics*).

<sup>2</sup> *The Strategy of Raw Materials*, p. 174.

utilization do not always or necessarily go together.<sup>1</sup> There is American capital invested in the Netherlands East Indies, and most of the Malayan and Indonesian rubber goes to the United States; France owns New Caledonia, but Belgium uses most of its cobalt and nickel, and so on. But there is no assurance that this state of affairs will continue; there are, indeed, many indications to the contrary. When Mr. Hoover was Secretary for Commerce he pointed out that there were then governmentally controlled combinations in nine raw materials, and that there were some twenty or thirty other commodities which could likewise be controlled by the action of one Government or by agreement between two Governments, and he expressed the belief that 'this situation not only threatens the sane progress of the world but involves great dangers to international goodwill'.<sup>2</sup> And only the other day Mr. Malcolm MacDonald, British Secretary of State for the Colonies, boasted that Great Britain is now getting almost all its bananas, raw cocoa, palm kernels, palm oil, copra, ground nuts, and goatskins from its colonies, Imperial Preference being largely responsible for this result.<sup>3</sup>

Rightly or wrongly, nations fear that they cannot be sure of getting the raw materials necessary for the industries by which their populations live unless they have political control of territories in which they are produced. An aggressive nation that feels itself sufficiently strong will naturally

<sup>1</sup> Cf. *Imperialism and World Politics*, by Parker T. Moon (New York, Macmillan Company, 1926).

<sup>2</sup> Quoted by Moon, *op. cit.*, p. 97. The nine raw materials referred to were Egyptian long-staple cotton, camphor, coffee, iodine, nitrates, potash, mercury, rubber, and sisal.

<sup>3</sup> In the House of Commons on 25 July, 1935.

decline to submit to this state of affairs and will claim a share in the spoils of colonial exploitation. So Italy claims Ethiopia. In logical accordance with the conceptions that have prevailed hitherto there is no answer to such a claim, which must result, if the claimant persists, either in his going to war or in his being bought off by territorial compensation. The Powers that already have colonies will, of course, prefer that the compensation should be at the expense of somebody else, the claims of other countries that have no colonies but are weak and non-aggressive will not be heeded, and the wishes and interests of the inhabitants of the territories to be shuffled about will be the last consideration. A basis for real peace could be established only by the general application of the principle which has already received a partial recognition in some of the Mandates, that the right, or rather duty, of administration of dependent territories does not give any exclusive right to economic exploitation, but that the economic resources of such territories must be freely available to all who have need of them. But there would still remain the question of how the exploitation of the resources of dependent areas is to be carried on.

iii. *Problems and Responsibilities of Colonial Government.*

Common sense would tell us that we should at least take care to maintain the population of dependent areas, if only as a supply of labour, and to raise their standard of living, if only to convert them into customers for the products of our own industries. Decency tells us that we should recognize dependent peoples as human beings, with the same right to life, liberty, and the pursuit of happiness as ourselves. There are some shining examples of a real attempt to heed the dictates of common sense and decency,

but there are surprising differences in the policies applied even in territories dependent on the same colonial Power. In too many cases, instead of preserving native populations we have gone far to wipe them out; instead of trying to raise their standard of living we have insisted on 'keeping them in their place'; instead of treating them as human beings we have used and broken them as things. And it would be a grave mistake to think that all our errors and crimes belong to a remote past.

The building of the Congo-Ocean railway in French Equatorial Africa entailed the sacrifice, between 1921 and 1929, of from 15,000 to 18,000 natives. It was an avoidable sacrifice, for the mortality rate, which was 45.2 per cent in 1927, was brought down to 17.14 per cent in 1929<sup>1</sup> and later even lower.

French Equatorial Africa is by no means the only colony in which, as a result of forced labour, disruption of the native way of life, inadequate attention to the problems of health and physical and mental adaptation to new ways of life, in short, the giving of licence to the 'get-rich-quick' foreign exploiter, native populations have been reduced to a point which means misery for the natives and a menace to the development of the territory.

Even when a colony is developed in such a way as to secure an increase in the numbers and wealth of the native population, the very fact of the transformation creates new social problems. The Gold Coast is an example of a

<sup>1</sup> *La Vérité sur le Cameroun et l'Afrique équatoriale française*, by Raymond Susset (Paris, Editions de la Nouvelle Revue Critique, 1934), p. 134. For a less restrained account of conditions in this colony, cf. *Congo: Terre de souffrances*, by Marcel Homet (Paris, Editions Montaigne).

prosperous, thriving colony, and this is what is happening there:

'The inevitable result of the rapid increase of the people's wealth has been to bring about what almost amounts to a revolution. The communal ownership of land is being largely repudiated for individual ownership; the sale of land, an almost unheard-of practice, has become a matter of everyday life; the industrious planter has been forced to hire labour in order to cope with the fruits of his industry and is gradually ceasing to be a working farmer, with the inevitable result that in course of time he will be a non-working landlord; an influx of strangers drawn as it were to El Dorado has opened up the country to an extent no man could have foreseen as possible within so short a period; fresh problems of the gravest nature, such as preservation of forests, slum conditions, unemployed, spread of disease, transport and shipment, and a people which has learnt to gallop before it could crawl, have been set for Government to solve.'<sup>1</sup>

Africa affords us also an illustration of a different kind of indecent absurdity in our treatment of dependent peoples. In the Union of South Africa the African population numbers between five and five and a half millions, and forms more than two-thirds of the total population of the Union. They are a vigorous, intelligent, and happy people, certainly quite capable of a very considerable degree of development. 'We find, for example, in West Africa and parts of the East African territories Native mechanics, bricklayers, painters, carpenters, and locomotive drivers. We find also that in that environment the Native not only acquires an efficiency comparable to that of the European artisan, but he tends to acquire their characteristics. He becomes ambitious and

<sup>1</sup> *The Gold Coast*, 1931, by A. W. Cardinall, Chief Census Officer (Government Printer, Accra).

is moved by what we think of as normal incentives in civilized communities.<sup>1</sup> But what do we find in South Africa? We have undermined the social system and agriculture of the Bantu by draining away their men to work in the gold mines, though we know that gold is a dwindling asset. We have denied them the possibility of learning and the right to practise any skilled trade, condemning them to be helots on a wage of 2s. a day, while an unskilled white worker gets three times as much and a skilled white worker ten or twelve times as much. And the result is that White South Africa is creating a terrifying problem for itself in the future, while in the present a five-million market for the products of Western industry remains undeveloped.

Our insistence on the extraction of gold from the South African mines is undermining the economic and social situation of the native not only in the Union of South Africa but also in the British-controlled territories of Basutoland, Bechuanaland, and Swaziland. Sir Alan Pim, Government Commissioner in Basutoland, estimated in a recent report that more than 50 per cent of the adult males are normally absent from the country, to the inevitable detriment of Basutoland's own agricultural, educational, and social development. The menace of the gold mines is spreading to Nyasaland, for arrangements are now being made for the recruiting of labour from tropical Africa.

A third illustration before I draw the moral. The Katanga region of the Belgian Congo and Northern Rhodesia is very rich in copper. It is being very rapidly developed by Western capital and native labour. The mining

<sup>1</sup> 'The Economic Position of the Bantu in South Africa', by W. H. Hutt, in *Western Civilization and the Natives of South Africa*, edited by I. Schapera (London, Routledge, 1934).

companies are devoting great attention to the welfare of the workers—so much so, indeed, that descriptions of the living conditions, medical attention, and training provided for them read like an Aldous Huxley nightmare. But while native workers are being recruited and trained for a 'brave new world' in Katanga, white workers in Canada and the United States are threatened with the loss of their livelihood. Labour costs in Africa are a fraction of what they are in North America, and therefore, although the world has all the copper it wants and more (the London price of electrolytic copper in gold francs per metric ton fell from 2,116 in 1929 to 650 in 1932), African workers are given employment they do not need and American workers are deprived of employment they cannot do without.

These illustrations will suffice to show that underlying the economic problem of the utilization of the resources of dependent areas and peoples there is a whole series of social problems. Let us turn now to another menace to the peace and prosperity of the world.

#### *iv. Population Problems.*

I have mentioned Italy and Ethiopia. What about Japan and Manchuria—and Australia? Japan has a population of nearly seventy millions, crowded with terrible density on a poor soil. Either she must export her population or she must export goods manufactured by that population. The first alternative is ruled out. The natural flow of emigration from Japan would appear to be southward, to Australia; but the Australians have persuaded themselves that Providence destined Australia for occupation by white people (once the blacks had been obliterated.) Queensland alone has an area of 670,000 square miles for a population



of under one million, as compared with an area of 175,000 square miles in the whole of the Japanese Empire, excluding Korea, for a population of over sixty-nine millions (1.4 persons per square mile as against 452 per square mile or 1 person for every 1.4 acre). Yet Australia, backed by Great Britain, denies the Japanese the right to colonize or settle in the country, and even insists on the exclusion of Japanese influence from the islands north of Australia. Japan's only alternative is intensive industrialization, but that necessitates access to raw materials and to markets. There are raw materials in Manchuria and China, and Japan is following the time-dishonoured method of securing access to them. For a market there is all the rest of the world—but we know what an outcry there has been against the flooding of *our* markets with Japanese goods. So the whites keep the Japanese out of their countries and the Japanese put the whites out of their jobs.

We cannot now discuss the Japanese problem in detail—how far Japan's industrial success is due to intelligent management and how far to the sweating of her workers, whether a simpler standard of living must necessarily be regarded as a lower standard, whether the world ought not to be grateful to Japan for fulfilling the same role as Woolworth's stores in adding to the amenities of life for poor people, and so on. I want to emphasize the social aspect of the problem. There may be all sorts of reasons for the exclusion of Japanese immigrants from 'white' countries—sheer colour prejudice, selfishness, or laziness; but one powerful motive, as for the exclusion of Japanese goods, is the fear of undercutting of white workers by Japanese workers. Would it be possible to organize the emigration of Japanese in such a way as to prevent the undermining of social standards in the

countries to which they emigrate? Is it possible to raise the standard of living of the Japanese at home while still enabling Japan to carry on the foreign trade indispensable to her livelihood? If Japanese standards of living should be raised so as to establish a basis of 'fair competition', should that be done immediately or gradually, and how are the methods and the pace of the change to be determined? These are some of the social problems underlying the problem of the establishment of order in the Far East.

Something ought to be said, perhaps, about the disintegrating effect of Western industrialism as one of the causes of China's troubles and of the social difficulties created by extra-territoriality in China; but I want to get back nearer home. Japan is already highly industrialized; China is becoming industrialized, so is Siberia, so is Indo-China. The result must be to compel a considerable reconstruction of European industry. On what principles is that reconstruction to be effected?

The International Chamber of Commerce would tell us that tariff walls must be broken down, all barriers to trade must be removed, industry must be permitted to develop and trade to flow so as to secure the maximum advantage of division and specialization of labour in accordance with strictly economic principles. Put briefly, Europe should be regarded as a unit for purposes of economic reorganization; and on purely economic grounds this is true. But there are also social considerations. I have already touched on the problem of the differences in the standards of living of different peoples, and the same problem would arise within Europe, but I want to make another point which seems to be too readily overlooked.

When Friedrich List was arguing in favour of the rational organization of national economic units, he gave as an illustration the case of Great Britain and Ireland; the former was admirably adapted by nature for industrial and the latter for agricultural production, and the two together made, he thought, an admirable whole. The anti-nationalist economists of to-day seem to argue for a United Europe as List argued for a United Kingdom. I happen to be an Irishman, and I am not enthusiastic about the unification of Europe or of the world on a strictly economic basis. It is true that my country is admirably adapted to agricultural production, and particularly to the production of beef for John Bull; and for many years we devoted ourselves to exporting our agricultural products in return for imports of manufactured goods. But we found by bitter experience that if we exported our cattle we must also export our people, and we decided that whatever economic principles might dictate there were social principles which required us to organize our economy on radically different lines. Human beings are not merely producers and consumers; they are Irishmen and Italians, Poles and Portuguese, Germans and Czechs, Frenchmen and Finns. And though their persistence in remaining people of different nationalities may result in some diminution of purely economic efficiency, the obliteration of the diversity of nationalities would mean a terrible impoverishment of the lives of all of us. Economic reorganization in Europe in accordance with strictly economic principles would probably result in a tremendous shifting of populations and disintegration of national communities. Nations, like individuals, have a will to live, and though there may be excesses and foolishnesses in the policies of economic nationalism, there is underlying them, at least in

part, a recognition of the fact that there are social principles which deserve consideration along with economic principles.

v. *The Necessity for World Social and Economic Reorganization.*

Most people nowadays realize that the problem of peace is very largely an economic problem. What we do not sufficiently realize is that behind the economic problem there are social problems, and that the purely economic approach may lead us astray. A world order must have a rational and moral economic basis, and the organization of a world economy with a view to the thorough utilization of the world's economic resources for the good of all entails the working out and application of social standards. There must be some sort of equivalence in social standards throughout the world, so that the advantages derived from diversity of economic resources may be genuine advantages for all.

The problem of access to raw materials was raised at an international gathering as long ago as 1919. A resolution was submitted to the First Session of the International Labour Conference at Washington which pointed out the close connection between the distribution of raw materials and unemployment, and invited the Council of the League of Nations to find a solution for this problem. The Conference hesitated to pronounce upon an economic problem with a political character, but the resolution was defeated by only 43 votes to 40. And it is significant that the resolution was submitted by the Workers' Delegate of Italy.<sup>1</sup>

The question was again raised by the International

<sup>1</sup> *Papers relating to Schemes of International Organization for the Distribution of Raw Materials and Food Stuffs* (International Labour Office, Studies and Reports, Series B, No. 2, October 1920).

Miners' Congress in 1920 and was brought to the notice of the Council of the League by the Governing Body of the International Labour Office. In 1921 a Report on Certain Aspects of the Raw Materials Problem was prepared by the Economic and Financial Committee of the League. In 1927 the matter was discussed by the World Economic Conference and that year also saw the adoption, by a diplomatic conference convened by the League, of an International Convention for the Abolition of Import and Export Prohibitions and Restrictions.<sup>1</sup>

All the discussion of the problem under the auspices of the League seems to have been dominated by political and economic considerations. The 1921 Report of the Economic and Financial Committee<sup>2</sup> states: 'There is no question of challenging the incontestable right which States have to dispose freely of their natural resources, or of the output of their countries in respect of raw materials'. Taken literally, this statement is a complete disavowal of any notion of seeking to establish a world order. The 'right' of States to dispose 'freely' of their natural resources and raw materials certainly ought to be challenged. If there is to be any respect for common sense and decency, no State can be recognized as having a right to develop its resources without regard to the effect of the methods of development upon the well-being of the people of the territory concerned and upon the peoples of other countries who will be affected. There is a specially strong moral obligation to have regard for the welfare of dependent peoples and to ensue that

<sup>1</sup> Cf. *International Control of Raw Materials*, by B. B. Wallace and L. R. Edminster (Washington, Brookings Institution, 1930), ch. xii.

<sup>2</sup> *Report on Certain Aspects of the Raw Materials Problem* (League of Nations Document, C 51, M 18, 1922 [E.F.S. 191, B 53]).

the development of the resources of their territories may be of profit to them as well as to their exploiters, while also assisting in the steady development of markets for manufactured goods. Little attention seems to have been paid, in the course of the League's consideration of the raw materials problem, to the question of dependent territories, such consideration of the social aspect of the problem as there was being restricted to the question of unemployment in the Western countries.

In another sphere a faint beginning of a recognition of international responsibility for social conditions in dependent areas is to be found in the declaration of the principle of trusteeship in Article 22 of the Covenant and in the work of the Permanent Mandates Commission. Eight years ago, in an address to this Institute on 'The Operation of the Mandates System', Mr. H. Gilchrist, of the Mandates Section of the Secretariat, said: 'If you look through the reports of the Commission to the Council you will find that from the very start there is no subject dealt with more frequently and fully than labour—not only forced labour but conditions of labour in general'.<sup>1</sup> The statement is even truer now than it was then. But it has to be remembered that mandated territories are only a very small fraction of the dependent territories, that the work of the Mandates Commission affects dependent areas not under mandate only indirectly, by a process of permeation of ideas, and that even in respect of mandated territories the work of the Commission consists only in observation and comment, not in control.

No doubt the work of the Health Organization of the League has been of some benefit to dependent peoples, and

<sup>1</sup> *Problems of Peace* (Second Series), p. 112.

the League has also, of course, taken up the question of slavery. But although Article 23 of the Covenant stipulates that 'subject to and in accordance with the provisions of international conventions existing or hereafter to be agreed upon, the Members of the League . . . undertake to secure just treatment of the native inhabitants of territories under their control', not very much appears yet to have been done by the League itself to ensure that this undertaking is carried out. Some progress has, however, been made by the International Labour Organization.

In 1930 the International Labour Conference adopted a Convention concerning forced or compulsory labour, together with a Recommendation concerning the regulation of such labour and another concerning indirect compulsion to labour. The Convention has already been ratified by the following States with dependencies: Australia, Great Britain, Italy, Japan, the Netherlands, and Spain. The Convention provides for the suppression within the shortest possible period of all forms of forced or compulsory labour, and imposes strict limitations upon the use of forced labour in the transitional period pending complete abolition. Even more significant is the following declaration of principle in the Recommendation concerning indirect compulsion to labour:

'The amount of labour available, the capacities for labour of the population, and the evil effects which too sudden changes in the habits of life and labour may have on the social conditions of the population are factors which should be taken into consideration in deciding questions connected with the economic development of territories in a primitive stage of development.'

The work of the International Labour Organization in this sphere was pushed forward a further stage this year, when the

Conference began the discussion of proposals for the regulation of the recruiting of what is commonly called 'Native Labour'. The Organization has also devoted close attention to the question of the enforcement of all International Labour Conventions in dependent areas, and the special section of the report on the application of Conventions which is submitted to the Conference each year shows that the steady pressure exercised is having good, if not very rapid, results in the extension to dependent peoples of the advantages of social legislation enjoyed by their 'white' fellow-workers.

Much more is, of course, required. If there is to be a world order there will have to be some sort of machinery for regulating the development of dependent areas. Principles will have to be worked out, machinery created, and control exercised to direct the flow of capital for the development of new resources, to decide the pace of development, to ensure due regard to the social repercussions of development, both immediate and long term, on the countries that furnish labour and on those that furnish capital, and to apportion the materials produced on some equitable and rational basis. In some cases—copper might perhaps be such a case—control may have to be restraint, but it ought also to take the form of stimulus. Consider, for example, the 'over-production' of intellectuals among the Western peoples and the 'under-consumption' of the dependent peoples not merely in manufactured goods but in educational and medical services. There has to be an all-round raising of the standard of living of dependent peoples. The Report of the Medical Department of Kenya for 1933, for example, examines the problem of Native ill health and finds the fundamental cause in Native poverty. It says:



'What then does the African peasant need if he and his family are to be healthy? For example, does he need clothes? . . . The answer . . . is, that whether the African needs clothes or not, he is going to have them, for two reasons: firstly, because he desires them, and, secondly, because both Manchester and Japan are determined to provide him with them. So far therefore as the African, the health officer, and the statesman are concerned, the issue now lies not between clothes and no clothes, nor between clothes and skins, but between clothes and dirty clothes.'

(Once we compel the Native to feel the impact of Western civilization, we are bound to go on and make the revolution complete. We must let him have not only clothes, but clean clothes, and that means soap, a house with windows, lamp oil—in short, a different standard of living. At present he is too poor to afford a decent standard; the Kenya medical authorities consider that for a healthy life a Kenya peasant needs a cash income of at least £18 14s. a year in addition to the food he can grow, whereas his actual average cash income is certainly not yet £5 a year. He is too poor to buy what he needs; we are poor because we cannot sell him what he needs.

Reorganization for social ends is required not only within our own countries but also as between ourselves and the peoples dependent on us. In a world order there would be no lack of work to do; what would be far from easy would be to decide how it should be done. But the decision has to be reached if world order is to be established and maintained.

There is not much evidence yet of constructive action in regard to the second great social problem on which I have touched—migration.

The Commission on International Labour Legislation

of the Paris Peace Conference discussed proposals for a 'Labour Charter' which included two points dealing specifically with migration. The first was: 'The principle of freedom of migration subject to the consent of the Governments and trade unions of the countries directly concerned'. The second was: 'The principle that any State shall have the right to send special officials to assist in any way and to protect its own emigrant workpeople, and that any State to which they have migrated shall be obliged to admit such officials and to assist them in the performance of their duties'.<sup>1</sup> The 'Charter' finally embodied in the Constitution of the International Labour Organization differed very considerably from the early drafts, and these two points do not appear in it. Nevertheless, they are of interest not only as showing the importance attached to the subject by certain States (in particular, Italy), but also because the references to the consent of the trade unions and to the protection and assistance of migrants reveal a realization of the social aspect of the problem. It is no doubt the bugbear of race, coupled in recent years with the difficulties due to the economic depression, that has prevented any considerable progress in the consideration of the problem of migration.<sup>2</sup>

The International Institute of Agriculture submitted to the Commission of Enquiry for European Union a scheme of international co-operation for bringing together unused

<sup>1</sup> *The Origins of the International Labor Organization*, edited by James T. Shotwell (New York: Columbia University Press), p. 187.

<sup>2</sup> For an illuminating discussion of the problem of migration in conjunction with that of the utilization of undeveloped areas, cf. *La Corporation dans le Monde*, by G. de Michelis, Chairman of the Governing Body of the International Labour Office (Paris, Denoël et Staelé, 1935). An English edition of this work has just been published under the title *World Reorganization on Corporative Lines* (London: Allen & Unwin).

factors of production—labour, land and raw materials, and capital—and the question thus officially raised has since been under consideration by various committees of the League and International Labour Office. The necessity for organized large-scale migration is recognized by at least some countries of immigration. Paraguay, for example, submitted to the London Economic and Monetary Conference in 1933 a proposal for setting up under League auspices an international organization for selecting, transporting and settling migrants and assisting and looking after them for an initial period. Two international Conferences on emigration have been held (at Rome in 1924 and Havana in 1928). But so far there seems to have been little practical outcome. One minor point of detail has been dealt with in an International Labour Convention of 1926 concerning the simplification of the inspection of emigrants on board ship. A more important step will be taken next year when the International Labour Office will submit to the Conference a report on the recruiting and placing of migrant workers. But we are still a long way from any organized effort to relieve the population stresses that threaten world peace.

When that stage is reached we might find useful guidance in the experience of Jewish colonization, particularly in Palestine. The Jews have been faced with two problems. The first is the economic development of Palestine; this problem is comparable with that met with elsewhere, but the Jews have tackled it by a combination of capitalist and co-operative methods that has produced remarkable results. The second problem is that of maintaining a high standard of living for the Jewish immigrants, preventing undercutting by the Arab population, and raising the standard of living of the Arabs. Elsewhere the problem is rather

to prevent the immigrants from undercutting the settled population or to prevent them from treating the settled population as serfs.

vi. *Conclusion.*

Let me turn at last to home. The establishment of a world order entails, to use Mr. de Michelis's apt phrase, 'a world programme of organic economic reconstruction' carried out with full regard to both common sense and decency. The responsibility for discharging this huge, complex and difficult task rests upon the 'advanced' peoples, who will need the fullest measure of knowledge, intelligence, forethought, patience, restraint, and kindness. How much of these qualities can we expect to find among ourselves? The vast mass of our people are inadequately fed, clothed, and housed. They cease to go to school just at the age when their intelligence and imagination might really begin to develop. They work long hours under conditions that induce them to spend their little leisure in the shallowest kind of recreation. They cannot be expected to govern themselves properly until they have time and training to enable them to read, talk and think rationally and humanely, to take long and wide views, to act under the impulse of reason instead of primitive passions. How then can they be expected to govern the world properly? Social reconstruction in our own countries is a condition of social reconstruction of the world as a whole. The two must go side by side.

## CHAPTER VIII

# INTERNATIONAL ADMINISTRATION

by

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### i. *Essential Conditions of a Good Administration.*

ADMINISTRATION is sometimes confused with government, and often with Governments. The operation by which a Prime Minister chooses his Cabinet is called forming an administration, but it would be a mistake to suppose that the Cabinet is the administration. The administration is the instrument through which policy is given effect to, and of that instrument the Cabinet is only a part. If the permanent part which is called the Civil Service were absent, very little could be done. In the modern State, Ministers generally must have at their command a vast machine through which their decisions may be made operative. In this paper we shall deal with this permanent element of administration.

A good administrative machine is not something which can be improvised. Its essential characteristic is that it should be capable of applying a single decision or policy to innumerable sets of special circumstances without deforming or betraying it. This can only be done by people trained in an administrative tradition. It is an art so subtle that very few books attempt to describe it, and the study of them is no substitute for apprenticeship and experience. That is why we have a 'permanent' Civil Service and why great private administrations such as banks tend to offer

their staffs conditions of security of employment very similar to those of State employees.

Security, however, is not enough. Other conditions of employment must be such as to attract and to keep the best talent available. There must be prospects of a remuneration which grows as age and experience increase, and possibilities of promotion with greater responsibilities for those fitted to exercise them. Without such prospects the best men will seek openings elsewhere and the administration will be weakened. The essential characteristic of an administrative machine is the unity which it preserves throughout its innumerable separate acts, and the necessity for this unity is much greater in public administration than in private. In private administration the test of success is the balance of profits and losses. The shareholders will not quarrel with the directors of a company who announce that though losses have been made in Lancashire the profits made in other counties have been so great that it is proposed to pay an increased dividend. But no Minister can expect to be well received in the House of Commons if he attempts to excuse the failure of the work of his department in one county by a glowing account of its success in others. He is equally likely to be censured even if there is only a difference in the way in which his policy has been carried out in one area as compared with another. Members will insist on equal treatment for their constituents for the excellent reason that their constituents have no other means of redress—they cannot resort to a competing department as they would to a competing business firm.

The necessity for unity in the public administrative machine means that none of the elements in it can pursue independent policies. It is frequently assumed that in

consequence the Civil Service leaves little room for initiative. This is a mistake. The work of a civil servant, unless he occupies a junior clerical post, not only offers scope for initiative but requires its constant exercise. It is, however, true that certain kinds of initiative are definitely barred. He cannot alter any of the general rules which govern the organization in which he works, and he cannot take any initiative on a matter of policy, since that is the preserve of his Minister. But outside these two preserves lies an enormous field in which the necessity for ingenuity, initiative, and the taking of responsibility constantly recurs. That those qualities have to be displayed in such a way as to contribute to a general effort and not as a brilliant personal coup makes their exercise more difficult.

It must not, however, be assumed that matters of policy are outside of the civil servants' province. Though he takes no political decisions, it is his business to ask for them and even to suggest the form they should take. His work is the application of policy and cannot be divorced from political considerations at every turn. It is the Minister who is responsible for all the civil servants' acts. He takes the credit or the blame: and hence the civil servant must see that the Minister is asked to decide all questions in which Ministerial responsibility may be involved. The national civil servant has security against public criticism for his acts.

ii. *The Problem of International Administration—The Internal Aspect.*

Let us turn now to the question of international administration and see how far its problems correspond to those of a national administration and how far they are susceptible of the same or similar solutions.

Sir Arthur Salter has pointed out that international administration is of two kinds.<sup>1</sup> It may, as in the case of the Danube Commission, be given full authority to execute a specific task. Or it may be given a much vaguer mandate to influence and co-ordinate the executive organizations of the national Governments. In the former case the parallel with national administration is very close. The staff may be drawn from different nationalities, but it works in the same definite framework of authority. The second case, in which such a definite framework is lacking, will clearly present special problems.

It is with this second kind of international administration, exemplified by the Secretariat of the League of Nations and the International Labour Office, that we shall deal.

It is clear that any such international administration must possess that unity in thought and action which is the essential characteristic of a national administration. In the ultimate analysis such unity is the result of a loyalty to the work of the administration as a whole. The loyalty required in an international staff is of a rarer kind because its ultimate source must be loyalty to an idea rather than to a definite thing like the State of which the official himself is an integral part. But it is even more indispensable in the case of the international official than in the case of his national counterpart. The national official is engaged in running an ordered machine. The job of the international official may be defined as the endeavour to bring order into international life, and the pursuit of separate policies by the agents of that order could only be disastrous to the cause which they are engaged to serve. The national civil servant has a

<sup>1</sup> See the chapter on 'Principles of International Administration' in *Allied Shipping Control*, by Sir Arthur Salter (Oxford University Press).



Minister to whom he can apply for a decision at any moment. It is his duty to apply the decision, and he can do so without any fear of the consequences. He may approve or disapprove of the decision, but he can have no hesitation as to its meaning—if such hesitation exists, a further decision can be immediately obtained which will set any doubt at rest. He is not open to temptation to interpret the decision in an easier or a safer way.

The international civil servant has no Minister from whom he can at any time obtain decisions and at all times protection. Instead he has a representative body<sup>1</sup> which meets at relatively long intervals and which can furnish neither so many nor so clear decisions as a single individual. Moreover, its decisions will sometimes be taken by a majority and occasionally by a narrow one. He may then be in the position of having to carry out decisions far from palatable to the minority. And he must carry out those decisions without, if possible, offending the minority or infringing their rights. Problems of loyalty in such circumstances cannot be evaded because of their delicacy. The permanent head of an international administration must give definite instructions to his staff. Thus he is compelled to assume the responsibility of interpreting decisions and in fact, in the interval between meetings, of taking decisions which in a national Civil Service would be the responsibility of his political chief. The international civil servant has therefore a wider scale of initiative than his national colleague, and a correspondingly greater degree of responsibility.<sup>2</sup>

<sup>1</sup> In the case of the Secretary-General the Council of the League of Nations and, in the case of the Director of the International Labour Office, the Governing Body.

<sup>2</sup> For some further discussion of this question, see the article on 'The International Civil Service', by E. J. Phelan, in *Foreign Affairs*, January 1933.

Given that an international administration has to possess loyalty of a rarer kind and to assume greater responsibilities than a national Civil Service, it must clearly attempt to secure the best possible type of men. But here again there are special difficulties.

In a national administration it is relatively easy to fix scales of salary and conditions for a career that will attract suitable candidates. In the international field, where candidates must be recruited from different nationalities, scales of salary which will be reasonable in one case may seem either exaggerated or hopelessly inadequate in another, and any attempt to strike an average must result in excluding candidates from countries where the national service is well remunerated. Moreover, even the highest salary-scales may not outweigh the disadvantages of expatriation—intellectual and social separation, the difficulty and expense of providing for the education of children, the difficulty of launching them on their own careers, and so on. The salary problem is, however, comparatively simple compared with the other problem of recruitment. The security which a national civil servant obtains is the security of the State itself. League officials have as yet no comparable security for their salaries. The League has no important financial reserves: the States' contributions in a time of stringency tend to arrive irregularly, and in some cases not at all; States may leave the League by giving two years' notice, although their withdrawal is supposed to be conditional on their having fulfilled all their obligations, and I do not know what premium a League official would have to pay to insure against the cessation of his salary if a general war were to break out.

If an international official's salary must be regarded as

doubtfully secure, what of his prospects of promotion? Here again his position compares badly with that of his national colleagues. Perhaps in some more internationally minded world it will be possible to make promotions in the international administrations purely on merit. At present, however, that is impossible, since if the international administrations are to command the confidence of the nations, they must be international in their composition. If, for example, four directorships were to fall vacant simultaneously in the Secretariat, they could not be filled by the four most deserving and best qualified men on the staff if they all happened to be of the same nationality.

There are other difficulties which should also be mentioned, the difficulty of language and, more important still, the conflict of administrative traditions and methods among members of an international staff with different national experiences.<sup>1</sup>

In one sense, however, these may be regarded as internal problems for which the administration itself could take or propose the appropriate solutions, provided it has a grasp of the fundamental principles of administrative machinery. The organization of the Secretariat will always be associated with Sir Eric Drummond, but it may be assumed that no little credit is also due to Sir Arthur Salter whose wide experience of both national and international administration must have been of the greatest value to the first Secretary-General, just as in the International Labour Office the drive and vision of Albert Thomas could lean on the administrative abilities of his Deputy Director, Mr. H. B. Butler.

<sup>1</sup> See the article on 'Some Problems of an International Civil Service', by H. B. Butler, in the *Journal of Public Administration*, vol. x, No. 4, October 1932.

iii. *The Problem of International Administration—  
The External Aspect.*

If the problem had consisted only in finding an administrative technique which corresponded to these special conditions of an international service, it might be said that it had been solved as far as time and circumstances allow. But there is also an external aspect to the problem of international administration. The purpose of the international administrative machine is to carry out without fear or favour an international policy, and its efforts may be frustrated and even its structure distorted by outside influences. A national administration deals with the citizens of the State, and it has no reason to be afraid of them. If it is properly organized, sufficiently paid, and inspired by a proper Civil Service tradition, it will be immune from improper influence or corruption. Even where it carries out a task of co-ordination as representing the State, it represents something with more authority and importance than the interests, however powerful, with which it deals.

The members whose actions, in certain circumstances, the international organization is expected to co-ordinate or control are more important and more powerful than the institution to which they belong. And this implies a danger that pressure may be brought on the international administration or its officials to act in the interest of one or other member rather than in the interest of the international organization as a whole. The possibility of such pressure being exercised successfully is both greater than in the case of a national administration and more difficult to guard against.

It was therefore provided in the Covenant of the League

that officials should enjoy diplomatic privileges and immunities giving them the independence and freedom from interference enjoyed by the members of the diplomatic corps in any capital. And almost as soon as the League came into existence the Balfour resolution of the Council on 19 May, 1920 laid down that the officials of the Secretariat were to be regarded as "international officials and not as officials representing or responsible to their own countries. A further decision provided that members of the Secretariat should not receive decorations or honours.

The principles and rules thus laid down were clearly sound. It was less easy to ensure that these rules should be respected in the spirit by the Governments with which international officials have to deal. It was almost inevitable that Governments should tend to regard their nationals in the international administration as in some degree their agents. Such officials, and particularly those in the higher posts, were necessarily (and quite properly) used to establish a liaison between the international administration and their own Governments. It could not always be easy to draw a strict distinction between that function of liaison and the function of promoting a national view, and it was clearly less easy for the Governments, accustomed to dealing with international affairs through the old diplomatic machinery than for the members of the international administrations working in the new international atmosphere. Until the new tradition could be established, the rules, however loyally followed by the international civil servants, could not furnish an absolute guarantee, nor prevent the suspicion that the administration was being unduly influenced by certain Governments in their national interests. Since any such suspicion was highly damaging to the prestige of the inter-

national administration, and in consequence harmful to the prospects of development of the new system of international order, it became imperative, for those who were strongly attached to the League idea, to allay it, and after long discussion in the Assembly, in which the whole problem of conditions in the international Civil Service was reviewed, a further attempt was made to ensure for the international administration its independent and true international character.<sup>1</sup>

After reviewing all the conditions of service, the Assembly reaffirmed in the most solemn way the principles already laid down in 1920 and decided that officials should be called on to make the following declaration:

‘I solemnly undertake to exercise in all loyalty, discretion, and conscience the functions that have been entrusted to me as an official of the Secretariat of the League of Nations, to discharge my functions and regulate my conduct with the interests of the League alone in view and not to seek or receive instructions from any Government or other authority external to the Secretariat of the League of Nations.’<sup>2</sup>

The Assembly’s decision undoubtedly reinforced the fundamental principle, but it does not really solve the problem at issue. The danger to the efficiency and independence of the international administrations does not come from inside but from outside. And although after the Assembly’s decision Governments may realize that they should not give international officials of their nationality ‘instructions’, and may abstain from doing so, this by no means exhausts their power of attempting to influence them.

<sup>1</sup> See Records of the Eleventh Ordinary Session of the Assembly, 1930.

<sup>2</sup> A similar declaration is required from officials of the International Labour Office.

iv. *The Status of an International Civil Servant.*

There is an unfortunate ambiguity as to the nature and extent of the diplomatic privileges and immunities which States must afford to the international officials. Must they be extended by a Government to an international official of its own nationality? Diplomatic privileges and immunities as defined by pre-League practice leave considerable doubt on this point, and yet this is the case where the protection is most necessary. For example, the power of a State over its citizens if it invokes military obligations is practically supreme, and the threat of its exercise might entirely destroy the protection which diplomatic privileges and immunities were intended to give to the international civil servant.<sup>1</sup> What is an international civil servant to do if he receives a mobilization order from his Government? Is he to obey his oath to accept instructions from no other authority than the international institution? And if he does so, will that institution protect him and his family and relations from the possible consequences of his refusal to respond to a military summons? In practice the case might not arise. He might be given permission to go and there would then be no violation of his international duty. Or the matter might be arranged by negotiation and his Government might withdraw the summons. The position, however, is unsatisfactory. If he is exempted at the pleasure of his Government it is idle to talk of immunities and independence. And if immunities do not extend to military service the League might either be crippled on the occasion of a war

<sup>1</sup> See 'The Independence granted to Agents of the International Community in their relations with National Public Authorities', by Jacques Secretan, in the *British Year Book of International Law*, 1935.

by the loss of a large proportion of its staff, or find itself with important elements of its personnel liable to the threat of military penalties.

Thus the problem of the independence of the international administrations is far from having been completely solved. And the problem of military service is not perhaps the most difficult of solution. There remain numerous other possibilities of national pressure, more difficult to define and therefore less easy to provide against. When a situation of international strain arises in the case of a given country, international officials of that nationality are an almost essential element in the international administration whose function it is to attempt to secure the disappearance of that strain. Those who study the problems of international administration cannot but recall that when Germany gave notice of withdrawal from the League all the most important German officials immediately resigned their posts. No doubt both they and the German Government scrupulously observed all their obligations, and I do not suggest that instructions were either given or obeyed. But the result proves that we are yet, unfortunately, far from having been able to build up an international administrative instrument which will remain intact in the face of the external difficulties with which it has to deal.

When all has been said, however, it may perhaps be affirmed that of all the new organs of international life, the international Civil Service has come nearest to fulfilling the hopes of those who planned a new order. If it is yet an imperfect instrument the reason is not to be found in any weakness within itself but in the lack of an external tradition which would protect it from an impossible strain. If its conditions be compared with those of the national



civil services it will be seen that it involves risks and discomforts for the individuals which compose it which have no parallel in the case of their national colleagues—it is difficult indeed to imagine any situation in public service so painful as that occupied by an international official at a time when his own country is involved in a dispute with the rest of the international community.

Those who take up the career of international administration should have no illusions about its security or its ease. For some time to come they must be pioneers without the protection or the safety which is to be found in older established institutions.

## CHAPTER IX

# LIBERTY, DEMOCRACY, AND THE MOVEMENT TOWARDS WORLD ORDER

by  
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### i. *Introduction.*

IS there room in a series dealing with the 'establishment of an international public order' for a chapter on Liberty? At first sight it would seem as though there was some contradiction involved. Until very recently—in fact, until 1918—order has not been a watchword employed in 'progressive' circles. And indeed the pre-war prejudice against the term was fully justified. If Order were all of which our present-day civilization stood in need, little more would be required than to ask a latter-day dictator to give us a Roman peace. Assuredly he would provide order as the Roman legions did in Britain nearly two thousand years ago.

The fact is that a satisfactory political system involves a balance between the two opposite principles of order and liberty. Order without liberty is tyranny. Liberty without order is anarchy. The task of government is to steer a middle course between the two; for both Order and Liberty are needed in order to enable men and women to live their own lives and develop their own distinctive gifts. Enthusiasts for order are apt to forget that no means exist for living other peoples' lives on their behalf—not even black

men's lives. The sanctity of human personality is the basic principle of all sound politics.

In some periods of history 'progress' signifies more liberty, at other periods it signifies more order. There are tidal movements in human affairs extending over centuries. It does not, however, follow that the whole world is borne along by the same current at the same time. There are occasions when tides from different regions meet and crash. Thus at the present time the movement for more liberty in India and elsewhere outside Europe coincides with a movement for more order in Europe, and in certain respects, as in the economic realm, throughout the world as a whole.

## ii. *The Tide of Liberty.*

From the end of the Middle Ages until November 1918 the tide in the Western world was setting towards liberty. During the whole of that period freedom and progress were almost interchangeable terms. Liberty was the inspiration of nearly all the 'progressive' movements of the age. The notion of liberty was in fact being applied during those centuries to one field after another of public affairs and of human life generally.

The Renaissance and the Reformation were twin revolts against authority, religious in the one case, intellectual in the other. Thus the world witnessed the affirmation, by Wiclif and the Reformers who succeeded him, of freedom of conscience. Side by side with this went the movement for freedom of research which originated in the mediæval universities, but was transformed after the Renaissance by the development of Scientific Method. Then came the assertion or rather the regulation of personal freedom as laid down in our own Habeas Corpus Act, and as exem-

plified in France by the destruction of the Bastille, the symbolic act which was thought until recently to have made an end for ever of arbitrary infringements on human freedom in Western Europe. Associated with this were freedom of worship and the movement for religious toleration, as also freedom of speech and writing and freedom of meeting and association

On this composite basis of *Civil Freedom*, secured by law, there was erected in the nineteenth century the superstructure of *Political Freedom* or popular self-government. It is important in these days of democracy by plebiscite to make clear the distinction between political freedom on the basis of law and what may be called unconstitutional democracy. A dictator who holds his power by popular vote in a country from which civil liberty has disappeared may claim to be a representative of his people. But this will not make him its lawful ruler in the true sense of the term. 'A kingdom without justice', as St. Augustine said long ago, is nothing but large-scale robbery, and this is none the less true when the leaders of the band have been chosen by a popular vote.

Turning to the economic sphere, we find a similar steady extension of the range of freedom. Thus what is to-day known retrospectively as Capitalism was at the outset an expression of freedom of enterprise and a manifestation of the pioneer spirit as against the monopoly and conservatism of the previous age. In the same way there has grown up in recent generations a movement for freedom of combination amongst workers, particularly manual workers, in order to offset what Adam Smith called the ever-present tacit combination amongst their employers.

Similarly in the social sphere we have the movement for

the freedom of women as expressed by the demand for the vote, for equal educational opportunities, and for admission into the professions. We find also a movement for social equality as between groups or classes within the community, and, most important of all, between peoples and especially between the white and the non-white peoples.

In 1918 there was a sudden reversal of the tide. The chaos produced by a World War—the first in history—lasting for over four years, produced a sudden sense of the need for order.

This need was felt both internationally and inside the borders of individual countries. Its international expression is the League of Nations. In domestic affairs the movement has manifested itself in the widespread tendency to strengthen the executive as against the legislature, and to set checks upon the hitherto almost untrammelled freedom of the economic system. It may be remarked in passing that the ‘dictatorships’ of which, thanks to subsidized Government propaganda, we hear so much, are only a crude example, adapted to the conditions of relatively backward countries, of a tendency which has been worked out more scientifically in the free countries. The formation of ‘National Governments’ in Great Britain, Australia, New Zealand, South Africa, and the Netherlands, and the strengthening of the powers of Government in the United States bear witness to this.

In the economic field the movement has expressed itself in various forms conveniently grouped together under the watchword of ‘Planning’.

Thus to-day, owing to the special conditions of our time, disorder seems to be the great evil to be conquered and liberty has become almost an old-fashioned conception. As

Mr. Nevinson expressed it recently, 'there are men still living who recall the time when liberty was a passion'.

iii. *The Wilsonian Conception of the League.*

It was natural, therefore, that Woodrow Wilson, with his Puritan antecedents and his American upbringing, should conceive of the movement for world order, not as a new departure but as a consummation of the old and cherished movement for liberty. His philosophy on the subject was formulated in the familiar phrase 'to make the world safe for democracy'. Liberty was achieved—so ran his thought—tyrants were dethroned, autocracy and militarism belonged to the past, like the *ancien régime* in France. What remained was to organize a new régime of order between the Free States.

That this was what was in his mind, in connection with the League of Nations, is clear from his refusal to admit to the League States which did not satisfy his canons of freedom. It is true that he laid down no rule on the subject since, as he declared, it was impossible to define democracy; one could only recognize when one saw it in action. But in practice he eliminated Russia, Mexico, Costa Rica, St. Domingo, and made difficulties about the admission of India. Thus, broadly speaking, he saw the League as a League of Democracies, together with a few other States—passengers on the ship as it were—such as Japan, India, Siam, and Liberia.

iv. *The Problem after Fifteen Years.*

The problem that we have to face to-day arises from the fact that matters have turned out very differently from the expectations of President Wilson. The attempt to plant

new democratic systems in inadequately prepared soil has largely failed, Germany and Poland being the most conspicuous examples of this unsuccessful experiment. Of the new democratic constitutions, only those of Czechoslovakia and Finland have stood the strain. The pre-war democracies, on the other hand, have stood firm. Italy is the only nominally democratic country which has abandoned the system—and no one who knew pre-war Italy would claim that democracy had then really taken root there. Amongst the gains accruing to democracy from the war must be reckoned the attainment of full independence and self-government by the British Dominions.

The question therefore arises whether precedence should be given to the idea of *universality*—as expressed in the watchword 'World Order'—or to the idea of freedom. Can a satisfactory world order be constructed out of materials so mixed, out of a combination of free States and despotic States? Is it possible in this way to arrive at any common outlook or sense of common purpose? Before attempting to answer this question let us turn to another present-day phenomenon, the tendency toward excessive liberty.

Just as the result of the war upon some minds was to bring a realization of the need for order, so its result upon others was to cause a craving for more liberty, for an escape from the horrors, the discomforts, and the responsibilities of social existence, of life in an interdependent world. Thus, side by side with the swing towards despotism, we have witnessed, especially in the English-speaking countries, a swing towards extreme individualism. The movement for world order has been constantly hampered by a movement of anarchism, the tendency for men and women to cut themselves adrift from all unpleasant political responsibilities. This movement

has been all the more influential in its appeal because it has often masqueraded under the banner of religion. For present-day religion in the Western world has not only cut itself free from the State, but is even engaged in some cases in subtly undermining the authority of the State, sometimes actually on the inspiration of dignitaries of an Established Church.

There can be no doubt that the comparative failure of the League of Nations during the last fifteen years is due in a far greater degree to the extremists of liberty than to the extremists of order. The League has suffered much from its enemies, but above all it has been wounded in the house of its friends.

This judgement holds true of many so-called 'supporters of the League' both in Great Britain and in the United States—though not in the Northern countries or in France, Holland, Belgium, or Switzerland. It is well illustrated by the substance of Professor Whitton's chapter on the Neutrality Movement in the United States, with its list of the latest devices for enabling Americans to escape with the minimum of discomfort from participation in common world responsibilities. The art of passing by on the other side as though it were a Christian duty has here been developed to a very fine point. The result is that the most powerful country in the world has been practically out of action in recent years, so far as co-operation or team-work for establishing world order is concerned.

•But if the people of the United States can plead the excuse of inexperience there is far less to be said on behalf of the sins of omission on the part of so-called peace movements in Great Britain. For the last fifteen years the League of Nations movement has harboured within its ranks the



adherents of two opposing and irreconcilable philosophies, that of the Covenanters and of the anti-Covenanters, of the exponents of world order, and the exponents of anarchy. Thus it has stultified its own influence by confusing the plain citizen and has laid itself open to the charge of intellectual insincerity.

No doubt this is a typical British situation. It has been paralleled in the Labour movement which has managed for two generations to be both Wiclifite and Marxian, Christian and materialistic. But the contradiction is particularly inexcusable when it concerns the interpretation of a plain text like that of the Covenant. These anarchists acknowledge no obligation to co-operate at home with the public authority, and consequently no obligation on the part of their own State to co-operate with other States. They regard the Covenant as a sort of authorization to co-operate rather than the enunciation of a duty to do so. The League for them is a voluntary association on free and easy lines, a sort of pleasant Sunday afternoon at Geneva. Thus, when faced with the stern realities of treaty pledges, such as are contained in the Covenant, they are apt to fall back on casuistry or simply to plead ignorance.

No doubt there has always been a small group of Christians who have on principle refused to perform certain civic duties. The members of this group are entitled to all respect; nevertheless, the fact remains that, if they were more numerous, they would disintegrate the social framework. But no criticism, except on the score of intellectual inconsistency or the refusal to think out things to the end, applies to the Quakers themselves. The real trouble has come from the many thousands (about 20 per cent of those who signed the Peace Ballot) who have adopted their prin-

ciples as slogans, but shares neither their inner convictions nor their saintliness nor their public spirit in other spheres of social life. It is they who have found their way into the League of Nations movement and have perverted the plain meaning of the Covenant, causing the British contribution to the League during the past years to be mainly negative. It is for their influence that we are paying the price in the present crisis.

v. *The Policy for the League.*

Faced with this double problem, the exaggeration of the idea of order and the exaggeration of the idea of liberty, what course of action should we adopt? Before attempting to answer this question, let us restate the difficulty. The League of Nations is not a super-State. It is a system of co-operation between States. From this it follows that the League cannot function unless there exist

- (1) States to co-operate with one another, and
- (2) a spirit of co-operation between them.

But a community composed of anarchists would not be a State: it would be a collection of individual members of voluntary associations, not a permanent political entity.

The first thing to be done then is *to strengthen the sense of citizenship in the free countries.* We must learn to render unto Caesar the things that are Caesar's, for the simple reason that Caesar is ourselves. It is we who are responsible both for his mistakes and for his faults, and we must take the consequences. No man can contract out of the State of which he is a free citizen. We do not choose the times we live in or the year in which we were born any more than we choose our heredity. But it is our duty either to

face up to our inescapable responsibilities or to go and live in the wilderness. It is this which is implied in the use in the programme of the term *public* order.

Happily events are driving this lesson home. We realize now that, just as a river cannot flow higher than its source, so the League cannot be more public-spirited than its member States, and that the momentum for action at Geneva is not supplied on the spot but from London, Paris, Stockholm, Brussels, the Hague, and similar centres. 'Leave it to Geneva' is merely an excuse for inertia.

There remains, however, the problem of the despotic States. How can they remain part of the League system? What justification is there for retaining them?

Certainly the logical solution would be to exclude them, as President Wilson would certainly have done. For despots are constitutionally incapable of co-operation. Having suppressed all forms of their co-operative activity within their own borders, how is it to be imagined that they can practise co-operation internationally? If we admit them into our society, will they not be worse than a negative factor and become active agents of disintegration, turning Geneva into a vast chessboard for diplomatic manoeuvring?

If the problem had to be faced afresh from the beginning no doubt President Wilson's solution would be the best. But as matters stand to-day with the League, which in addition to its political tasks is attempting to carry on a number of technical world services (such, for instance, as the work of the International Labour Organization), the position is not so simple. The wisest course, perhaps, whilst closing no doors and proclaiming no ex-communication, is to recognize that *the driving force of the League* must

inevitably be supplied by the free countries. The despots cannot co-operate; it is against their nature to do so. Therefore it is likely that in the long run they will tend to cancel out one another's activities.

Nevertheless, if we are thinking of a world order in which liberty is safeguarded, and of the development of law on a world scale, it is our duty to realize vividly how immense has been the regression in recent years and how appalling the growth of lawlessness. Looked at as a whole, Europe is no longer a civilized continent in the sense in which the word has been used since the eighteenth century; in some spheres indeed certain countries have gone much further back. Thus if we take up the points enumerated on a previous page and apply them to present-day conditions in various parts of Europe, we shall realize the extent of the ground that has been lost in the various spheres and applications of freedom. One point only is worth stressing in particular. The sense of equal relationship between the white and the non-white peoples, which was the last great task of the movement for freedom, is now denied by a large part of European public opinion. Not only are 'colonial wars' spoken of quite naturally as a sort of up-to-date form of hunting, but there is talk in many quarters of handing over non-white populations as a sort of compensation or Dane-geld to unsatisfied rulers and peoples. To the so-called Liberals who sponsor methods of this kind the reminder is due that they should pay the price demanded of them in their own substance and not in that of others. Let them hand over, for instance, the South Wales coalfield with its inhabitants thrown in, or at the very least the British Government holdings in the Anglo-Persian Oil Company, rather than interfere with the work of British administrators who

are devoting their lives to single-minded services on behalf of the African peoples. For Africa does not consist of gold, platinum, and palm-trees, but of human beings of the same species as ourselves.

But whatever expedient may be adopted in the present *impasse* the principle is clear. To preach the *duty of co-operation* with despotic communities, in the name of order, is to destroy the cause of the League for the sake of the machinery of the League. No world community can ever be constructed out of such materials as these.

Let us attempt to draw a practical conclusion. We must recognize three outstanding factors in the present period of the life of the League.

(1) That the peoples of the world are at very different stages of political development. The politically immature peoples considerably outnumber the mature.

(2) That the present excesses of despotism are due, at least in part, to the peculiar difficulty of a time of transition. The violence so characteristic of the younger generation in certain countries, is a legacy, perhaps a temporary legacy, from the war.

(3) That the problems involved in the movement towards public international order are extremely complex and as yet largely unexplored. There exist, for instance, practically no rules of international law for dealing with them.

Under these circumstances the wisest policy would seem to be to promote the closest possible association between the liberty-loving peoples who form the only possible nucleus for a world community.

This is as far as we can see into the future at the present day. If the free States can overcome their anarchistic tendencies and learn to act together, they will not need to be

too exclusive in admitting partners, since the spirit of freedom is infectious. But if, on the contrary, they remain divided and the machinery of international co-operation is left to the control of men who do not know what freedom means, then the movement for world order will be divorced from the idea of progress, and it will be necessary to start afresh upon new foundations.

## CHAPTER X

# THE FUTURE OF THE COLLECTIVE SYSTEM

by

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IN Downing Street this morning,<sup>1</sup> and here, the question for discussion is the same. It is not, however, so restricted a subject that the last word is likely to be said upon it in either place.

### i. *'The Collective System.'* A Term of Art?

The word 'system', as you know, is not a term of art; it has no settled technical signification. We may give it what meaning we choose. For instance, we may mean by it a method—as when their inventor recommends a set of morning exercises as 'My System': or a grouping—as when we speak of the Solar System (in this sense the Collective System may be said to have 'members' belonging to it): or again, as when we talk of the Capitalist System, we may be thinking of a state of social or other relationships. All three ideas seem apposite in explaining the term.

Moreover, unlike certain other expressions, the term 'Collective System' has not yet had either a long or a particularly stormy history. I suspect it was invented, quite recently, as a sly means of suggesting to the more 'soft-boiled' Americans that somehow their country, in signing the Kellogg Pact, had inadvertently and against its desires assumed a quasi-membership in the League.

<sup>1</sup> This lecture was delivered on August 22, 1935.

ii. *Collectivism. A Novelty?*

So much for the term: consider now the fact. It seems commonly supposed that with, say, 1919, history fell into two phases, those respectively of the pre-war international anarchy and the post-war Collective System. Thus, for collectivism, life, as it were, 'began yesterday'. There is, however, an alternative view. Think back to the time when the ideas of the Holy Empire and the Universal Church were losing their grip upon the political mind of men. The doctrine of sovereignty, as you know, then meekly inherited the earth. But is it not true that along therewith mankind gave assent to another, countervailing, idea—the notion of a natural, universal, and hence international law curbing the sovereigns in their relations *inter se*? The stories of the international anarchy and of the Collective System are, thus, but two versions of the one historical episode. Humanity, hitherto, has perhaps nowhere had knowledge of either a thoroughgoing collectivism or an out-and-out anarchy. Even in Chicago.

iii. *The Watchword of this Investigation.*

Whose affair, by the way, is to-day's exposition? And what manner of job may it be? There are, I think, two types of teacher to whom it could well be confided. As concerning current politics, it might for preference be entrusted to someone himself in public life, ever in touch with realities, and familiar with the limits of the politically possible. Well, we are soon to be enchanted by one who probably has given about as much vigorous thought to our subject as any Englishman in politics to-day. Alternatively, the task is a sociologist's; and it is, I hope, in the absence of



anyone formally qualified as such that I now propose tackling the matter somewhat in the temper I consider a sociologist should. The sociologist, whether genuine or *ersatz*, is, *par excellence*, a man of science. What does this imply? The Dean of Westminster, discoursing on the theatre, recently declared that, while it was not the dramatist's duty to preach, he should anyhow try to give his public a sense of refreshment; a vision of the world as not after all too unpleasant a spot (or words to that effect). Now your authentic scientist is not concerned even for that.<sup>6</sup> A junior subaltern, writing an official 'appreciation of the situation', once finished as follows: 'Our ammunition is running low; our forces are depleted and demoralized; our position is plainly untenable—but our cause is just, Heaven is with us, and we are certain to win'. The General expostulated. 'Your last three remarks', he said, 'though just the stuff to stiffen an exhortation to the troops, are misplaced in what should have been a strictly objective survey of our technical position.' My business, equally, I take it, is not to emit an 'exhortation to the troops'. Were you here as prospective pillars of the American Senate, one might perhaps see you as so many ailing invalids, and try what one could rise to in the way of a bedside manner. Actually, I regard you rather as though you were medical students; and, in that character, if at all susceptible to sentiment, the sooner you outgrow it the better.

After long and honoured circulation, Professor Minobe's book on the Japanese Constitution is now banned from university service, on the ground, not so much that its doctrine is untrue, as that it is not considered socially salutary. 'Shocking', you say. Well, perhaps; but one is tempted to remark that if it comes to the veiling over of truth as

not improving, it is scarcely for some of us in the peace movement to 'call the kettle black'! Where 'supposedly' our search is for scientific sunlight, our watchword must be 'Insight before uplift—the truth, whether edifying or not.'

Now, in such a sociological study there are, broadly, two lines of advance. You may choose, for example, the abstract approach, or, you may prefer to have your feet on the ground. Being a little weary, if not doubtful, of the abstract avenue, I am lucky to find that this, with his accustomed clarity, has already been explored by Mr. Arnold-Forster. To his moving adumbration of a future world order, to the recital of his seven-point programme, the vision of his seven-pillared temple of peace, there is nothing on those lines that I here desire to add. Collectivism, while it may be conceived in the abstract, must develop, if at all, and manifest itself, in the concrete. My concern, therefore, will be ostensibly with the concrete, and if, notwithstanding, I still seem too academic for the ideas of some of you, you'll doubtless allow a little for my London environment, where the concrete, someone said, not merely never sets on the walls, but is only with inconvenience envisaged by the staff.

iv. *An Article of Faith.*

At last we are getting going, and you'll have my forecast for to-morrow. It runs, succinctly, thus: 'In many quarters continued tension; in all directions fog; further outlook unsettled'. Our concern is not with what as optimists we hope for, but with what, on a cold consideration of realities, we seem able, if dimly, to discern. In my heart, let me confess, and in my bones, I know that the future is with the Collective System. This partly is because, with Mr. Walters,

I see it as in evolutionary line with the whole of human history. Partly I embrace it as an article of faith. Like the subaltern in the story, I believe in the final triumph of my side. But just now I have simply to assess the technical indications, and explain why it is that, for all the diagrammatic luminosity of Mr. Arnold-Forster's picture, I still put my forecast in terms of uncertainty and fog.

What I propose is to notice generally the setting in which collectivism is being sought to be better established, and then successively to examine certain issues on the answer to which the outcome of this effort may partly be thought to depend. But first a word about the achieved conventional framework of collectivism, as we have it here and now.

#### *v. The Existing Framework of Collectivism.*

You know the divers grounds of complaint that are proved or averred against the instruments and institutions hitherto contrived. Some there are who regret the theoretical imperfections of the Covenant, the so-called 'gaps', the unanimity rule, the want of precision in certain places. Failures, too, are noted in the realm of action: witness the Far East and Latin-America. The Council's usage, again, has excited unfavourable comment. This vital organ of world co-operation has evolved no true collective consciousness, no authentic *esprit de corps*. This court of judges (in equity if not in law) has proved neither independent nor impartial. All very fine, no doubt, to have the big guns rolling up in Geneva—but of what use is that if, in implied denial both of open diplomacy and the equality of States, the moment a crisis occurs those big guns go off by themselves? Then, too, the Kellogg Pact. After a general renunciation of war, the States continue arming,

just as, after forswearing chemical warfare, they went on making gas masks. On this last point you've perhaps heard tell of the good lady who, when asked 'Do you believe in ghosts?', answered 'No, but I am afraid of them'. That, I surmise, is how the Governments—and with cause for it—feel. After all, to warrant insuring against burglars, you don't need to show you feel sure to be burgled. (It wouldn't assist you if you did.)

Then the failures. In the Far East, since in 1932 the others agreed that in those distant waters Japan should be 'top nation', the League, it is true, has been a little like a player who has overcalled his cards, a clock striking six when its hands say only three. One may follow Professor Gilbert Murray in not accepting that set-back, sobering though it was, as a reason to despair of the League's eventual adequacy elsewhere. In South America, on the other hand, there had been a stage when, the Covenant notwithstanding, the parties were both content to try the test of battle. When, later, in the heat of hostilities, Geneva was first fully seized of that situation, the League apparently took it as fully within the terms and intentions of Article 15 ('a dispute which is likely to lead to a rupture') a brave interpretation indeed. English judges have a maxim—*Volenti non fit injuria* ('You were asking for it, so you shouldn't complain'). This point might bear developing further.

Curious how, when fighting occurs, you seem so often to have, for Covenant purposes, a borderline case. One almost is tempted to see here a sign that, so far as it literally goes, the Covenant can't have been working too ill. It is impossible, you know, to reckon how many shipwrecks a particular lighthouse has prevented. So far, at least, there have been no disasters at the very foot of the structure.

The coach and horses have not yet run amok in Piccadilly. However, this is poor consolation.

Impartiality? When offered new peas, I shovel them along just as they come. When it is new potatoes, I pick the ones I fancy. There is some individuality about a boiled potato; whereas peas are interchangeable. A Roman lawyer would put it that peas, at least, are 'fungible' things. Now, when we say that the Englishman has a right to be tried by his peers, those peers are thought of as fungible things. He hasn't any right to be tried by his pals. The States, however, are all either old friends, or old enemies, or both—and know each other well. This inevitable but oft forgotten aspect of any league of nations was confidently foreshadowed by Lord Bryce in his presidential address to the British Academy in 1916.

#### vi. *The Given Social Milieu: The 'Personnel'.*

But, whether or not we have fairly perceived the insufficiencies of the present conventional framework, we have surely not failed to give it its share of our interest. I pass now to dwell for a little on some leading characteristics of the political setting, the social milieu, in which your dreamt-of collectivism must in practice find its expression.

What, then, is this 'society' where the collective factor has as yet been so imperfectly introduced? Is it simply you and I, and others the likes of us? How often has one not heard speakers invoking an audience's sense of responsibility with the words: 'You, my friends, in this room, are yourselves, in part, the League of Nations'. This sort of thing, while all very charming, is manifestly superficial. First, it is idle to pretend that individuals in this behalf are all of equal weight. There is more joy, trust me, among the

Geneva angels over one hard-boiled man of business who awakens to the League's possibilities than over innumerable just, intelligent, and high-minded undergraduates who need, at least in this respect, no education.

Yet when all is said, and our thoughts are with that *élite*, that scattered handful of individuals, who seem together to have an effective influence on the course of things, shall we even so be in touch with exactly that social milieu to which we should to-day be attending? I suggest not.' For the society in question is essentially a society of '*States*', nation-States mainly, but rather States than nations—and anyhow, not individual humans. If we internationalists are often accused of reckoning not enough with the vagaries of human nature, we are free, as a debating 'come-back', to reply that it is not always with merely human nature that we directly have to do. The units of our society, if ultimately and in fact individuals, are immediately and in effect something else. Our personnel are not real persons. They are States—mere notional entities, conceived of rather than found, and though personified in the habits of our thinking and our speech, yet intrinsically other than the men and women that we see.

I intend no quarrel with this our flair for personification. Even were it less plainly convenient, we are, in our technique of thinking, too little removed from the anthropomorphic propensities of primitive men easily to adopt a more factual apparatus of ideas. Nor is there serious danger in the States being thought of as behaving like persons, provided those persons be thought of as behaving like States. For, having seen that the States are not persons in fact, we can go on to perceive that they are none the less persons in effect. And the interesting and necessary thing is to differentiate

between those human qualities that are, and those that are not, in effect the qualities of these notional persons. The nation may, in our thinking, be helpfully and harmlessly invested with a mind. So may the State. There are, in effect, a national mentality, a national attitude, a national outlook, distinguishable from the attitude, outlook and mentality of the individual, and even of the nation-State. Nonsense though this be, it is, convenient and commonplace, nonsense.

But if the State has in effect a mind, has it also in effect a conscience? How much do we properly know about the moral attributes of what the French so engagingly call a 'moral' person? Associate one hundred often unselfish individuals in a trade-union: will there result an often unselfish trade-union? Does one expect magnanimity in a political party, as such? Likewise, who would look for altruism in a democracy? Is a trade-union constituted with an eye to unselfish action? Is a democracy made for the practice of altruism? There is room, in our discussion of State doings, for rather more analysis and a little less indignation.

And, when we talk of a Christian nation, as distinct from a nation of Christians, where do we finish? Does a State become artistic if its citizens take up art?

As affecting you and me there can be differentiated four separate principles of restraint upon anti-social leanings. Religion apart, there are personal ethics, where conscience decides; social ethics, or customary morality, where the test is public opinion; and law, where the last word is with the courts. Now, in the society of States, though there is deemed to be a law, there seems to be little of customary morality, and, in the way of ethics, as opposed to morality,

it is hard to posit anything at all. Anyhow, it will be wise not to assert unthinkingly that there is no real difference, in these matters, between the positions of the nation-State and of the individual.

Let us talk, by all means, of the psychology of States, but do not let us suppose we understand it. Ourselves men and women, we cannot, by introspection, arrive from the inside, at the way the nations, as nations, think and feel. Still less the nation-States. Much as with the minds of the infantile, the primitive and the sub-human, we can 'know' the minds of States only through watching their conduct. There seems room for a systematic treatise by someone, up equally in international politics and in behaviouristic 'patter', dealing coldly and uncensoriously with the mental make-up of the persons of the international family. And, if it appears that the child-psychology of, say, Professor Piaget, is especially full of suggestions, we shall not be unduly surprised. The State, very true, is not in strictness a child; but in strictness it is not a grown-up either; and in their egocentric outlook, some well-known States are plainly nearer to the youngsters than the grown-ups.

Moreover, a given 'country' may, on inspection, be found to differ sensibly (or foolishly), in its mental motions, from all the other countries. The moves, for example, by which the great American people proceeds in making up its official mind are not exactly paralleled by anything in Italy, France, or Japan. If there is a West of England, there isn't a Middle West. A just appreciation of a given country's acts demands a specialized awareness of the local constitutional process pertinent to the matter in hand, and especially of the sorts of sectional interests tactically best situated to influence that process. If out to infuse a new spirit into international



practice, it is vain your preaching to 'the World'. Even could it hear you, there is nothing it could do. The poor world is far more sinned against than sinning. To get things done in practice you must address yourself not to the world, but to the nation-States. And this again is hard. Were it possible to have all the important countries around a table and lecture them like a family council, things might soon take an upward turn. But we cannot get the countries together: we can only assemble their representatives. And the difference this little detail makes defies exaggeration.

vii. *The Traditional Basis of Association.*

If, then, the domestic and international communities are unlike in the nature of their membership, not less deeply do they differ in the doctrinal assumptions that form the bases of their association. The nineteenth century is recalled as an age, in England, of individualism, of *laissez faire*. But *laissez faire* was never the dogmatic starting-point of England's political system: it was simply a principle of legislative philosophy. The law-giver's ideal may well have been to allow in practice a maximum of individual freedom, but, as fundamental to the system, there was assumed the ultimate subordination of the part to the whole, the individual to the collectivity, the citizen to the State. Internationally it is otherwise, not in degree only but in kind. 'No man', someone has said, 'would run his business as the world is run to-day.' How arresting: yet how confused. The truth, and the difficulty, is that the world, as such, is not run by anyone—far from it. As well, and as metaphorically, might you complain of the weather being badly run. The basic assumption of international 'order' still is the idea of the ultimate sovereignty and independence of

each component unit. This is no mere legislative individualism. It is the dogmatic component that distinguishes the constitutional basis of order internationally conceived from its counterpart in the domestic context. Inveigh against it, if you will—as crusaders: but as students of the actual, you will not, in our time, go far astray if, in construing the world around you, and even in your dream of to-morrow, you take the sovereignty doctrine for granted—as pioneers of flying perforce took for granted what to some might have seemed the ‘pernicious’ principle of gravitation.

viii. *The Traditional Legal Order.*

The units then are different, the bases of association different. What about the so-called legal system whereby the relations of such units, as so associated, are officially taken as governed? What true place has that law in international affairs? Is it altogether comparable with the place of municipal law within the national community? How about those who refuse this system the title of law strictly so called? The answers depend mainly upon what it is that we choose to consider the essence of law. To some minds law in its essence is nothing if not an instrument of social control, a means whereby society puts a restraining hand upon the self-directing individual. On this acceptance we might readily argue against international law’s being, strictly, law at all. For, if anything, it is rather in the nature of a programme of concerted *self*-control collectively endorsed by the members of the international family. If, on the other hand, consistently with the silent assumptions of every practising lawyer, law be regarded as in essence a body of technical doctrine, the matter assumes a different guise. We see now that to lump together law and social control

is like failing to differentiate between a musical composition and an orchestral entertainment. In a sense, once it has been composed, the 'music' exists even though no instrument be forthcoming, no player offer to perform. The law, as law, may exist without being effectively administered as law. On this reading international law is law indeed.

Inasmuch, however, as it lacks that context of governmental machinery which gives to municipal law its characteristic *connexion* with social control, the possible province of international law in the promotion of collectivism is necessarily circumscribed. Professor Zimmern noticed the latter-day growth of international lawlessness. Yes, a disturbing sign. Yet, formerly, when the prohibitions law imposes were less far-reaching, therefore less irksome, the urge to flout them will doubtless have been more easily subdued. Is it wise to burden a beneficent institution with more than it is fitted by nature to bear? Is there no risk that, even within its wonted sphere of influence, the whole system may so be brought into disesteem? The lawyer may know it or not, but political and other extra-legal considerations continue internationally to have a pre-eminent role. Take that question of so-called 'interpretation'. What seems first to need interpreting is the term 'interpretation' itself. Observe how things work out in practice. Mr. Baldwin announces that only in the light of a known American attitude would he support British action under Article 16. Does anyone think this is technically proper under paragraph 1 of the text? Yet does anyone contend that it therefore must not be condoned? Nowadays the statement tends to continue: 'And until I know also what France will be doing. . . .' For, since 1925, if not 1921, the official position has apparently been that under Article 16

the member-State must 'co-operate', but need not act alone. Was that the Phillimore Committee's idea?

On the other hand, since that same declaration of 1925, it seems either that nothing is officially an 'act of aggression' unless technically a Covenant-breaking 'resort to war', or else, that the leading Governments have tamely, almost tacitly, assented to a substantial enlargement of their sanctioning obligation, promising resistance not merely to breaches of the Covenant's letter, but to 'any act of aggression', in those identical words. Clearly international law, if not intrinsically different, is in effect a rather special sort of system.

ix. *A Problem Sui Generis*

Given, then, a milieu where the units are persons only in idea, where the foundation of ordinary intercourse is the notion of sovereignty, and where law is not even superficially an instrument of social control, the problem of promoting collectivism must, I conceive, be one where analogies drawn from domestic experience may admit, at best, of only the most hesitant application. Essentially it is a separate problem, needing independent study and, perhaps, peculiar treatment.

It remains to consider briefly a further series of what seem to me pertinent issues.

x. *The Super-State. A Sine Qua Non?*

\* First, the super-State. Does everything hinge on this? Lord Lothian lately declared that except in a super-State there could be no out-and-out abolition of war. Must we agree? Here again we must define our terms. If, as somebody did, you define it as simply 'a system of obligations

restrictive of liberty' then clearly your super-State won't of itself prevent war, considering it has been unavailingly with us from the earliest days of international jurisprudence. But Lord Lothian's conception is different. It is technically a federation, nothing less. And I have explicitly doubted the probable disappearance, in our time, of the 'pernicious' sovereignty notion. If you, on the contrary, know, you can sweep it away, more power to your elbow, or whatever you use to sweep. Perhaps Lord Lothian is right, and no mere collectivism can suffice. The outlook must then seem gloomy indeed. That being, however, as it may, further consideration of the super-State would, I feel, figure oddly in a discussion of the 'collective', not the 'unified', system. The Collective System, as currently conceived, will aspire to maintain world peace despite the survival of national sovereignty as a given, though not perhaps a chosen, fact.

#### xi. *Must the Covenant be Amended?*

Next, the question of improving the conventional framework—in particular, amending the Covenant. The unanimity rule, for example: what if member-States be unwilling to renounce their *liberum veto*? That rule, I submit, should not be taken too grimly. Provided the member-States be definitely set on upholding the Covenant, need the Covenant indefinitely 'hold up' the member-States? Need the willing members admit frustration at the hands of the unanimity principle? Article 10, certainly, is difficult, as its wording fails to fix any positive measures as obligatory in default of advice—presumably, unanimous advice—from the Council. But who says Council voting is a postulate for measures under Article 16, paragraph 1?

Or that, unanimity under Article 11 being not attained, the collectivistically-minded (!) States must sit with folded hands? Already there is precedent for the sending, by twelve several members of the Council, of identical notes to an offending member-State. Simultaneous, individual, similar, and concerted action by a group of resolute countries might go far to make 'effectual' the League's 'wise' endeavours for the safeguarding of international peace. It was impressive having Mr. Walters's opinion that, given loyalty in the member-States, the existing Covenant should prove enough in itself. More helpful, that is, than any change in the formal framework would be a worthier attitude among Governments towards their present obligations. Amending the Covenant is a hard undertaking, the ill-judged initiation of which may tend merely to undermine what confidence to-day's procedures enjoy. Build the super-State if you know how; amend the Covenant if you can; but make meanwhile the most of such instruments and institutions as already are available for use.

xii. *Collectivism and Force.*

The issue I now intended taking was finely handled by Professor Zimmern last night. I mean the role of violence in the organization of collectivism. What should a Christian's position be towards a programme for meeting force with force, a system which, in Lord Lothian's idiom, substitutes war as an instrument of collective, for war as an instrument of national, policy? The Christian, willing to render Caesar's things to Caesar, may hesitate to put with these the use of naked force. But what if, on analysis, he find that only by violence—albeit organized, disciplined, violence—violence, so to say, 'sterilized' in a central bank—

can there come, or continue, to be any Caesar at all? And, if force be condoned for the State's eventual defence against adversaries within, why not also for its protection against enemies without? Besides, self-defence apart, who knows what the Good Samaritan would have done had he arrived to find the thieves still busy?

We may carry our questioning further. Take power diplomacy. This, you say, should surely be a thing of the past. And, if the term means putting the augmentation of power as a prime objective of policy, your point may be sound enough. If, however, it simply means diplomacy dependent, in the last ditch, on a possible appeal to superiority of power, the matter is more complex. What about the notion of power government? Service, not power, you may say, should be the modern watchword. Yet in a sense all government is power government, and all diplomacy power diplomacy.

You'll lately have seen a schoolmaster's letter opposing the o.r.c. as apt to give immature minds the idea that war was 'part of the scheme of things'. If we are to join in deprecating such suggestions, we anyhow ought to know why. As untrue? Or, as not being socially salutary? With things as they are, war is, with a vengeance, part—at least in theory—of the scheme. Hence our concern for a collective system. Hence the o.r.c. Hence the need for a closing of the ranks by all who intend the repression of war. Of the aspiring young Britishers who affirmed the other day their unwillingness ever to fight for King and Country, many meant, no doubt, as a tacit corollary, that they would all the more zealously fight for the Collective System. But Mussolini, and other outsiders (no offence intended), may be pardoned if in their dullness they missed the implication.

xiii. *Will War Become Unthinkable?*

Of wishful thinking there can be few more facile, not to say unfortunate, examples than the conception some pacifists form of the abolition of war. Unfortunate, because unrealistic, where realism may be vital to success. Conceive war as a plain abnormality, or a crime, and you may tend to talk of its outlawry and simple elimination. Realize that in our inherited system occasional war has until now been only too normal, and that under any mere collectivism it will remain a theoretical, if illicit, possibility, and you may join intelligently in the effort to avert it. Postpone war in practice to infinity, and its paper abolition may be left to accomplish itself. The metaphor of the crime has here perhaps been overdone. You'll remember the man who, being cabled: 'Your mother-in-law has passed away shall we bury cremate or embalm', replied: 'Bury cremate embalm take no risks'. In combating war, let us not for fear of mixing metaphors leave any stone unturned. Let us condemn and repress it as a crime, supersede it as a mode of litigation, guard against it as a disease, regulate against it as a traffic-smash. Let us assail it with every weapon simultaneously all along the front. Then, in our endeavour to postpone it progressively further, to render it increasingly rare, we may, for our humility, be rewarded with what we were not officially expecting—to wit, the effective obsolescence of war.

xiv. *The Settling of Disputes: An Unsolved Problem.*

A mode of litigation! In a world without war, it is now a commonplace to declare that there must be found other methods for settling international differences. And



this seems evident enough—if we ‘soft-pedal’ the fact that not all differences otherwise unsettled tend to be settled by force. It is at least for the dangerous disputes that provision is needed. Of these, some doubtless will depend on a point of law. We are nowadays used to the idea that for handling the legal issues, or issues of fact, the international judge is qualified and available. It has besides been pointed out—perhaps to excess—that never is it technically unthinkable for a ruling to be rendered as to how the law stands, or stood, at any given moment. Let us not ascribe to writers who labour this point the supposition that such recourse to a judge will always be necessarily useful. Although you can at any time, if you like, seek a third-party opinion on the law or the facts, the search will be superfluous if folks are not divided on that particular point. The crux is that there can arise issues—call them non-legal, non-justiciable, or any fancy name you prefer—where a judge merely of law or fact can not just in that capacity give the needed help. For instance, the question whether a given treaty-provision shall, or shall not, at a given stage, be suppressed. To resolving that species of question our machinery as yet offers no assured approach. Some put their hope in proposals to ‘implement’ Article 19. A blessed word—to ‘implement’. Such cool ambiguity. Now it means to amplify, now merely to fulfil. Can it possibly mean the two at once? To supplement that Article may be indispensable, but is not by law incumbent on such as are only pledged to fulfil. Yet that text is often mentioned as ‘providing’ for ‘the reconsideration of treaties and situations of danger’. Would that my liability to income tax were ‘provided for’ in similar terms. (‘H.M. Commissioners may from time to time advise the payment . . .!’) Better

to insist that, with or without Article 19, the problem of the resented legal position remains a challenge to international statesmanship. Article 15 goes some way towards meeting the need. Nothing therein precludes—where a rupture is feared—the recommending, by Council or Assembly, of territorial or other such changes. But in a world that respects the Kellogg Pact, it looks as though passive resistance to such recommendations might be offered with impunity. Nor is there solid hope in the idea of an equity tribunal. Even could we have such an organ, safely to be trusted to look at equity alone, are you certain that would answer the need? Do we expect to achieve internationally what would amount to an improvement, theoretically, upon the sort of thing that happens in the domestic sphere? ‘The State’, says my cynical friend, ‘is an institution whereby people combine to overcome their moral scruples to their mutual advantage.’ It needs no Karl Marx to see that in any given régime the scales of influence are apt to be weighted in favour of those who blessedly possess. Within its limits law does afford some sort of justice. But where law is indifferent, the strong, in the domestic sphere, are apt to expect rather more than the merely equitable, and they are apt to get it. The lion, where the law is silent, is used, not simply to an equitable, but to a lion’s, share. Recognize this, if you choose: and aim to produce, internationally, a like result. But let us label the organ a tribunal, not in equity, but in expediency, naked if not unashamed. At least among our scientific selves, let us call things by their names.

Wherever possible, let us certainly insist that territorial claims be, as Mr. Arnold-Forster foresees, ‘de-bunked’. But will they so be suppressed? The serious thing is, not

that this problem has yet to be solved, or even that it has yet to be tackled: but rather that, officially, it has hardly as yet been perceived. One is free to hold that the treaties, or their remaining parts, are sound—but not therefore to insist that they be acknowledged as sacrosanct, undiscussable. Are our countrymen in general prepared for the sort of sacrifices Mr. Lansbury favours? Do we even agree that, morally, they should so be prepared? And are the 'have nots' disposed to forgo any claim not endorsed by third-party opinion as reasonable? What's wanted, in truth, is not simply a new procedure. That would come of itself—if once you had the needed fresh philosophy of international life, the willingness, diplomatically, for a new deal.

xv. *Wanted: A New Ethic?*

A new philosophy of life—or, in Mr. Arnold-Forster's phrase, a new social ethic. He desired it more specifically as touching the question of war. But we may wonder if that change could be fully forthcoming except as part of an altered attitude towards international things as a whole.

A new ethic—because no mere legal code could avail in international, any more than in industrial or matrimonial, affairs, to safeguard a harmony whose maintenance is dependent on the spirit. And the ethic must be new in more senses than one. Machiavelli may be condemned for denying the relevance of morals to diplomacy: but some of his critics are curiously unspecific in putting their alternative view. I myself am unable baldly to insist that States have the same kind of conscience or are bothered by the same sort of ethics as we in domestic concerns. The most I would ask is that they should institutionalize, as a matter of policy, the practice of behaving *as though* they had what collectivities,

as opposed to individuals, do not commonly seem to have, a sense of social responsibility. President Roosevelt has given us a propitious slogan—the policy of the good neighbour. (The policy; not, that is, the ethic.) Or should we say the policy of the Better Samaritan, who turns up in time? Would that men and Governments might come to conceive the States, more than they do, as a ‘family’ of nations, a brotherhood of peoples. The answer to Cain, you know, is not ‘Yes, you *are* your brother’s keeper’, but ‘Keeper or no keeper, you *are* your brother’s brother’.

xvi. *A New Ideology?*

For it is largely a question of how international relations are currently conceived. If in practice there were successfully established a new social ethic, it would scarcely emerge unassociated with a new ideology, a new phase in the realm of accepted ideas.

Let us only trust that, if and when such new ideology invites our attention, we shall prize it for its potential influence, and not too jealously scrutinize it for its accordance with observable facts. If the new ideology is to save us, this will be, not because it is true, but because it is suitable. Monsieur Briand made a brave attempt at spreading some such new set of ideas. His failure may not have been primarily imputable to his academic commentators: but they did little to help. Had he managed to get Frenchmen and Germans to see one another as fellow-Europeans he might thereby have worked the miracle for which our age so despairingly longs. Yet, friends of mine felt it right to attack that noble idea, analysing it, testing it in the light of antecedent realities, asking what in common the Greek and the Swede possessed, contrasting the figures of intra-

and of inter-continental trade. They might, to express their opinion, have borrowed the Castlereagh formula, 'a piece of sublime mysticism and nonsense'—as if that had anything to do with the case. 'A living thing is born', said Woodrow Wilson in 1919. 'L'enfant est né', said Aristide Briand in 1930. 'Silly old women', rather inconsistently remarked those who liked to call a spade a spade. All honour, let us say, to the silly old women. They may yet do more for civilization than the clever young men.

xvii. *The Conclusion of the Whole Matter.*

And now let us finally ask what will be the true, the only possible, foundation for any effectively functioning collective system? For once, I'll accept the domestic analogy. What, ultimately, is the basis of orderly coexistence within the local community? Nobody has put it more simply than Professor MacIver. You'll remember his phrase—'the will for the State'—that is, the sufficiently prevalent disposition, if not to approve, then anyway to tolerate, the retention of those social arrangements that form the constitutional régime. Correspondingly, if the Collective System is ever to have the strength of a domestic order, it will be upon the foundation of an adequate 'will for the Collective System'. Note, moreover, that with MacIver it is the will, not for *'a'* State, but for *'the'* State, that is, the particular State in question. Not every State is assured of permanence, not every régime can command an adequate 'will for'. And, as there are States *and* States, may there not likewise be systems *and* systems? The collective system that survives will be one that sustains the adequate 'will for'. Even if not fully acceptable to the fastidious, it must be endurable enough to a sufficient bulk of the community concerned, that is,

the society of States. In 1919, while we know how welcome it was to the peoples, how it was believed in by Wilson himself, and how, at his instance, the other Governments gave it their assent, it is less safe to suppose that statesmen at large (!), and therefore 'States' in general, had equal faith in the League's political fitness to survive. The most we can say is that Wilson did at least 'put it across', much as in a later year Secretary Kellogg was to put across the Pact of Paris. The States accepted the Covenant, whether loving it or not. Do we know that there actually was, among the 'States', as distinct from the peoples, an adequate will for *any*, let alone for *the*, League of Nations? The 'haves', maybe, will have approved the tendency to stabilize, to stereotype, the *status quo*. Theirs was rather the moral position of the gambler who, just when by chance all the cash has come into his hands, remembers his mother's admonition that gambling is sinful—and insists that the play do cease. They, the 'haves', were a little in the mood of him who, having got on, and got honour, gets honest. So far did the arrangements of 1919 fall short of universal acceptance as to be reminiscent of the badly set broken leg, which, if ever fully to recover, must first be broken again. Is it possible, except through this further relapse into violence, hopefully to attempt a cure? When all the consequential States, and for this purpose all the key personalities, are supporters of some single system, then you may sleep in your beds. If light is wanted on the future of collectivism, why ask me? Why not rather ask persons who count in the affairs of our time: for instance, General von Fritsch of the Reichswehr? Then you'll be getting your tip straight from the mouth of *one* of the horses! In a world composed wholly of Swedens a collective system might be unnecessary, in a world of

Czechoslovakias it ought to be possible, in a world of Japans it could hardly be conceived.

Faced with this problem of social engineering, or, if you like, political architecture, people like us are rather in the plight of an architect whose clients demand that he build with unsuitable materials on an impossible site to self-contradictory suggestions of their own and without cost to themselves. There is also the simile of the showman who, stirred on review-day by the sight of aircraft evolving in formation, conceives the idea of having his elephants do the same. His difficulty will not come in planning a nice formation; but in ever getting his animals off the ground. From the *terra firma* of national self-interest sovereign States are almost equally ungiven to ascent.

#### xviii. *W(h)ither Sovereignty?*

One additional word about the fate to be foreseen, in our imagined future, for that aforesaid friend, the doctrine of sovereignty. You now know that, save by accepting this doctrine and allowing for it, as airmen accept the law of gravitation, I believe we are unlikely in our time to witness even such modest steps forward as current conditions might permit. Rather than ask that the adversary throw up the sponge, that the States forthwith renounce outright this cherished idea, I fancy we should be content to play for a draw—lest worse befall. For the moment, the super-State *stricto sensu* is hardly a feasible aim; but there is another line of advance. Embrace, *faute de mieux*, the philosophy of Article 11. Let every independent State, jealous of its sovereignty, yet interested in the keeping of peace under a tolerable form of collectivism, co-operate in creating for the League, in its efforts under Article 11, the maximum

of moral authority. Unless the psychological conditions are present, we'll surely never realize that world government of which some so wistfully dream. Unless there be born, perhaps antecedently, the *moral* super-State, the technical super-State will hardly prosper, if it be tried at all. And in the merely *moral* super-State, the 'pernicious' principle of sovereignty survives unimpaired. Unimpaired, but not unchastened. Take England. Even to-day, before a Bill becomes law, the assent must be accorded of His Majesty the King. Nominally, and, in theory, Our Sovereign Lord remains our sovereign lord. Yet His Majesty is almost the only resident adult male who isn't supposed to push his ideas in the political tussles of the day. In my home-country we have a bird, the ostrich, best known perhaps for the things that he does with his head. But there is 'more to him' than that. He has also a pair of the loveliest wings. Time was when they were wings indeed, and served their proprietor for purposes of flight. Nowadays, though his lordship can run like a stag, his faculty of flying is gone. While running he keeps up his courage, and conserves his prestige, by waving his wings—with truly magnificent effect. Is it not possible that in the moral super-State which we yet may see, the component units, while retentive, nominally, ceremonially, and in theory, of their status, may in practice be no longer given to its anti-social manifestation? Let them wave their sovereignty innocuously around, as the ostrich exercises his frills, and let them meanwhile keep their running to the narrow road of civilized co-operation, ruled by a decent deference to the judgement of mankind.

If in places you feel that the lecturer has forgotten the subaltern, remember that, by training, I am not a sociologist at all! And anyhow, we have no peroration.



## CHAPTER XI

# THE FUTURE OF THE COLLECTIVE SYSTEM

by

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### i. Introduction.

I MUST start by asking and by answering the question: what do the words 'The Collective System' really mean? In my view they must mean—if they are to mean anything at all—a system under which the nations of the world manage *all* their common business together, in which they seek to promote *all* the interests they cannot help sharing, *not*, as they used to under the diplomatic system, in groups of two, but on the contrary, collectively and as a community.

If the Collective System is to be a reality, that is to say, it must involve Government co-operation in an immensely wide range of human activity. In 1926 complaints were made by some delegations that the League was going beyond its proper purpose in discussing such matters as the provision of swimming pools in the towns and villages of Bulgaria. I believe it was a mistaken view which sought to exclude such subjects from the ambience of League discussion. Before the growth of the League was checked, before its organs became moribund under the influence of the Manchurian crisis and the 'economy' policy which resulted from the economic blizzard of the last few years, League Committees were dealing with child mortality in South America, with the double taxation of people who live in more countries

than one, with monetary co-operation to combat economic depression, with the reform of the calendar and the fixing of Easter, with international agreement concerning radio programmes, and with a vast variety of other kindred subjects. If the Collective System is to be equal to the necessities of the modern world, we must keep before us prospectives of collective action without limit of scope or development. We must expect within a short time to carry through such proposals—though they may now seem Utopian—as those for the establishment of an international factory for the making of drugs, with a world monopoly; for the creation of an International Health Inspectorate definitely superior to the National Health Services which it seeks to co-ordinate; for the effective international protection of stateless persons; for an immense expansion of economic and financial co-operation; and for many other similar schemes.

But above all else and before all else the Collective System, if it is to be a reality, must mean collective action about the problem of international war; it must mean Collective Security to replace the individual national insecurity in which the nations now live. A Collective System which has not solved the problem of war will solve no other problem of international life. It might, indeed be said that Collective Security is to-day the *only* problem of real importance in foreign affairs, because until it is solved no Government can formulate an intelligible foreign policy for all the other international problems with which it is called upon to deal.

• We must have, then, Collective Security against war. What kind of Collective System will give it to us?

We can only answer that question if we keep in mind quite clearly the *nature* of the war with which we are now threatened. We say in a light-hearted manner that the

next war will be dominated by the air weapon, and will be unlike any that has gone before; but few of us make any serious attempt to imagine what air warfare will be like.

The grim truth is that the Governments are now preparing for a war which, if it comes, must mean the total destruction of the civilization in which we live. That phrase has been made wearisome by the constant repetition of peace propagandists; it remains none the less the sober statement of the most important single fact of the situation in which mankind finds itself to-day. Unless the danger of aerial warfare can be averted, we must expect that the importance of Europe in human history will soon be at an end.

ii. *The Main Principles of a Practicable System of Collective Security—Universality of Purpose and Scope.*

How can the danger of aerial warfare in Europe be averted? Every one is nowadays agreed in saying that the only hope lies in a system of Collective Security. Not everybody is agreed about the principles upon which this system must be founded.

I venture to put forward certain suggestions which, for lack of space, must take the form of didactic propositions. I believe they constitute the minimum basis of any system which can now avert the immensely serious dangers which the delays and hesitations of the Governments have allowed to appear.

In the first place, any effective system of Collective Security must be universal in its purpose. In a speech made at Mount Vernon on 4 July, 1918, President Wilson laid down the main object for which he believed the future peace organization of the world must provide. 'It is', he said, 'that the world be made safe for every peace-loving nation

which, like our own, wishes to live its own life, determine its own institutions, be assured of justice and fair dealing by the other peoples of the world as against force and selfish aggression. All the peoples of the world are in effect partners in this interest, and for our own part we see very clearly that unless justice be done to others it will not be done to us.'

We cannot now hope that we can avert the kind of war which will destroy European civilization, unless we are ready to guarantee to 'every peace-loving nation . . . justice and fair dealing . . . as against force and selfish aggression'. When in 1928 the leading world Powers signed the Kellogg Pact by which they renounced war as an instrument of national policy, one of the signatory statesmen came out from the ceremony and told the journalists that they must not expect that this new world instrument had meant the end of war. It is that spirit which has caused the failure of the Kellogg Pact and the Covenant up to date. If any wars are to be allowed—whether they be 'border-line cases', like Manchuria, or 'small' wars, like the Chaco, or 'punitive colonial' wars, like that in Abyssinia—we may be very certain that we shall not free ourselves from the fear of major wars. If war is ever in any case to be legitimate or to be tolerated by the community of nations, then all Governments will concentrate their attention upon preparing for it, and the whole of their foreign policy will be dominated and vitiated by that preparation. Every one is now agreed that with the outlawry of war we must also adopt new policies to deal with the economic causes of war and to secure the revision of treaties and necessary changes in the *status quo* by peaceful means. No sensible person believes that war itself can bring economic prosperity or can remedy the injustices of the

existing legal situation. But unless as our starting-point we go back to the principle enshrined in the Geneva Protocol, in the Assembly resolution of 1926, and in the Kellogg Pact, that all war, for whatever purpose, is a crime against mankind, we shall never be able to construct a system of Collective Security that is worth the paper upon which it is written.

Our system of Collective Security must be universal in scope; that is to say, the obligations upon which it is founded must be applicable to aggression in every quarter of the world. For ten years—since October 1925, to be precise—the Governments have been striving to organize security upon a regional basis. The result of their efforts has been a total and unmitigated failure. There are few of those who last year were clamouring for the signature of an 'Eastern Locarno' who now believe that by itself it would be worth the paper on which it was written. Even the original Locarno has failed to diminish in the smallest degree the dangers of military insecurity in Western Europe. It would be unkind to say that its one lasting result was to sterilize the historic opportunity offered by the genuine Franco-German reconciliation which Stresemann and Briand effected; but there is a sense in which that statement would be true. The danger of war is not regional; the means by which aggression can be restrained are not and cannot be restricted by regional limitations. Unless the nations of the five continents of the world are ready to stand together to uphold peace, there is no hope that they can put an end to war.

### iii. *The Universality of the Vital Interests of Nations.*

The defenders of regional arrangements have always argued that universal obligations are impossible, because you

cannot ask nations to fight for a cause in which they have no direct or vital interest. That argument is founded on a fallacy which reveals a complete misunderstanding of the whole nature of the present-day international Society of States. But it has been widely accepted as sufficient justification for the rejection of the Geneva Protocol, for the virtual repudiation of the Covenant of the League, and for the policy pursued by Great Britain in the case of the Japanese aggression of 1931. It may be of interest, therefore, to examine how British interests were involved in the Manchurian question and what has been the effect upon British interests of the policy that was then pursued.

The official British attitude in the early stages of the Manchurian dispute was that our only interest in the matter lay in our trade with Manchuria, and that this interest was unaffected, since Japan had offered to guarantee us the open door. This is the only conceivable explanation of the Foreign Office Note of 8 January, 1932, repudiating the United States doctrine of 'Non-recognition' set forth in Mr. Stimson's Note of 7 January.

Apart from the British interest in working with the United States Government (an interest seriously imperilled by the Foreign Office Note), the policy of 'neutrality' has not proved effective in safeguarding or promoting British trade. Nine months after the Foreign Office Note, on 15 September, 1932, Mr. Ohashi, the Japanese Vice-Minister of Foreign Affairs in 'Manchukuo', declared as follows: 'Manchukuo will be an open country for Japanese subjects of the Japanese Empire only, and will be to all intents and purposes closed to other countries.'

It must further be remembered that many of the Japanese militarists plan to expand the new empire of 'Manchukuo'

until it covers all Northern China and Mongolia. They have made considerable progress already with this plan. Foreign trade in these territories will no doubt receive the same treatment as in 'Manchukuo'.

Many of the Japanese militarists intend in due course to assume the economic control of all parts of China in order to exploit the whole Chinese market for the exclusive benefit of Japan. This programme necessarily involves the exclusion of Europeans both from trade and from political influence in China.

The realization of this dream will no doubt be brought nearer by the success of the Manchurian adventure if, in the long run, it does succeed. The Manchurian dispute therefore affected the British interest of general trade with China—a very substantial interest indeed.

A still more important British interest is that of Hong Kong and the International Settlements. British foreign policy in the East turns in considerable measure around the safety of the Settlements and their continuance in the future.

The Settlements exist in virtue of Chinese international obligations. The Chinese have always disliked them, and they have pressed, and are still pressing, for their abolition. They have only been restrained from forcibly effecting it by respect for their international treaties, by European prestige, and by the fear in the last resort of European armed force, of which they have had terrible experience in the past.

If international treaties such as the Covenant and the Kellogg Pact are no longer regarded as binding in the East; if Europe allows the Japanese militarists to use force in violation of these treaties exactly as they like, the example is one which sooner or later the Chinese are only too likely

to follow in the Settlements, even if they do not in the end accept the alliance which the Japanese have offered for the purpose of ending the Settlements and of abolishing all Western 'extra-territorial' rights. It can hardly be doubted that British interests in the Settlements have, from the long-period point of view, been gravely compromised by the Manchurian war.

How true all this is was admitted in a recent article by the Shanghai correspondent of *The Times*, who, in describing the present Japanese policy of intervention in Chinese affairs, said: 'The relations between the Chinese and Japanese are, perhaps, not directly the concern of other foreigners, especially as it is now generally recognized that Japan is playing her own hand in China. But eventually the operation of Chinese compliance with Japanese demands may vitally affect many foreign interests.' It is significant that, in describing one of the more important demonstrations of Japanese dominance, he says in another part of his article: 'A flourish of trumpets to bring the Municipal Council of the International Settlement of Shanghai to a sense of this dominance has been made in protest against a telephone contract. And this flourish was specially directed against the British in Shanghai.'

But Great Britain has still wider interests in the continent of Asia than her Settlements and her trade in China. She is, in fact, the greatest Power in that continent. Her position there depends upon holding India. Japan has in Manchuria given the Indian people an example of the impotence of Europe before armed force in the East. There is, of course, no danger that India will immediately follow this example owing to the divisions among the Indians themselves and the overwhelming force in the hands of the British there.



But it is difficult to foresee the future. If there was another world conflict in which British strength in India had to be seriously reduced, there might be Indians who would remember how Japan had defied and defeated the West. Again from the long-period point of view the maintenance of world law in Asia appears directly and vitally to affect major British interests in the East.

The same is true of the security of the British Dominions in the Pacific, and in particular of Hong Kong, Australia, and New Zealand.

It is true that many Australians encouraged the Japanese in their Manchurian adventure, in order that Japan might be 'kept busy' there. It may even be that the Australian Government's policy and Mr. Bruce's well-known speech in Geneva were inspired by this consideration.

If so, it can hardly be regarded as a far-sighted policy. Indeed, it is already recognized in Australia that it has created a menace to 'White Australia' which in 1931 did not exist. In the summer of 1931 Australia felt safe; conscription had been recently abolished and all parties in the Australian State were strongly in favour of disarmament. The menace of Japan seemed very remote. But three years later it is hardly too much to say that Australia was in a state of general panic concerning the danger of a Japanese invasion. The Australian Government had held urgent consultations with the Imperial General Staff and with some of the other Dominions concerning new defence measures; they had voted great sums for new armament, and this year the further increase in their armaments bill is one and a quarter million pounds; they were preparing plans for training their civilian population in defence against gas attack; ministers were engaged in trying to float on the London market

schemes for colonizing the almost desert areas of North Australia at a ridiculous cost.

There can be no question whatever that the direct cause of this panic and this rearmament policy was the Manchurian adventure, which destroyed the psychological factor of confidence and sapped the legal foundations of the integrity of Australian territory. Nor can it be doubted that incomparably the best safeguards for the 'White Australia' policy lie in Article 10 of the Covenant, which gives Australia a legal, political, and moral right to keep Japanese immigrants out of Australian territory; in Article 16 of the Covenant, which gives Australia a legal, political, and moral right to the assistance of all the other Members of the League in resisting Japanese invasion; and in a drastic Disarmament Convention under which Japan would give up her battle-ships, submarines, and air forces, without which the Japanese would find the invasion of Australia an incomparably more difficult operation. But the Manchurian adventure undermined the binding force of Article 10 and of Article 16, and more than any other single factor prevented the success of the Disarmament Conference. It thus gravely menaced another vital British interest in the Pacific.

And even wider British 'defence interests' have been menaced by the failure of the Members of the League to prevent the invasion of Manchuria. For that failure—and that failure alone—has solidified the power of the Japanese militarists over the Government of their country. As the Shanghai correspondent of *The Times* says in the article which has been quoted, in September 1931 'the Shidehara policy (of working with the West and of friendship with China) was scrapped at the instance of the Japanese militarists, the spearhead of whose revolt was in the hands of

the Kwantung army dominating Manchuria'. These militarists are bent on the large-scale expansion of naval and military armaments, and in particular on achieving naval parity with Great Britain and the United States. With this in mind, they have refused to renew the Washington and London Naval Treaties after 1935, and are thus driving us into a most serious rearmament competition. If this competition begins in the East there can be little doubt that by its repercussions it will start a new naval competition in Europe. Great Britain will thus be competing in two different naval spheres, and will find it increasingly difficult to stand the strain.

Not only so. An armament competition in Europe will increase the already very serious tension, and will make it very difficult for the Admiralty, at a moment of crisis, to allow more naval or air forces to be stationed in the East. In consequence, the increases in Japanese armaments will probably give them an increasing measure of superiority in the Pacific, and will thus create an increasing degree of insecurity for British interests there.

Perhaps some people will say that there is no real evidence for the view that this dominance of the militarists in Tokyo is due to the failure to prevent the Manchurian adventure. It is sufficient to point out in reply that in 1930 the Japanese Naval Staff strongly resisted the ratification of the London Treaty; their opposition was overcome by the civilian Government of Japan. But in 1934 the Japanese Constitution was changed, at the demand of the Naval Staff, in order to render a repetition of their 1930 defeat impossible in times to come.

Yet another British interest of even greater importance has been affected by the failure to uphold the Covenant

against Japan. Once its violation had been accepted there, the Members of the League thought it impossible to restrain Bolivia and Paraguay when they began to fight about the Chaco. That second failure was followed in a few months by the open rearmament of Germany, carried out while the Disarmament Conference was still going on, and in violation of Germany's international engagements. From that moment the German Government began to pursue a foreign policy which could only be explained on the hypothesis that it was preparing in certain eventualities for aggression in Europe. In other words, the new world law having been flouted in the East, its restraining power began rapidly to disappear in the West. It may be that the action of the League in respect of Abyssinia will yet restore the moral and legal authority which the Covenant used to have; but there can be no doubt that, during the four years which followed the unresisted Japanese invasion of Chinese soil, the failure to uphold the Covenant in the Far East unloosed all the forces of lawless violence in Europe and throughout the world, and produced in Europe a danger of war which threatens the most vital interests of Great Britain and the Empire which she leads.

The above argument may be summarized by quoting Mr. Churchill's assertion that in 1929 (and still when the Labour Government fell in 1931) 'the principle upon which British defence policy was based was that no major war need be foreseen during the next ten years; and that to-day (1934) no one could accept such a proposition'. The events which have produced this lamentable result illustrate in a striking manner the fundamental principle so often declared by President Wilson in 1917 and 1918, and en-

shrined in Article 11 of the Covenant, that *every* war is a matter of vital interest to every nation in the world. But the principle is not only shown to be sound by British experience alone, for the above argument could be applied with equal force to a country such as Denmark or Abyssinia. In 1931 Denmark, under a Radical and Socialist Government, was setting to the world the example of unilateral disarmament; in 1935 the same Radical and Socialist Government is abandoning that policy and is reverting to a policy of armed defence. In 1931 Abyssinia was confidently repelling all attempts at imperialist penetration by relying on her Membership of the League; in 1935 she is threatened with a war of conquest. These changes are due to the fact that the vital interests of Denmark and Abyssinia were as profoundly and as adversely affected by the Manchurian failure as were the vital interests of the British nations. The practical conclusion to be drawn is that those national interests which can truly be called vital are universal in their scope, and that this is true of every nation in the world.

#### iv. *The Limitations upon the Universality of Scope.*

But when it is argued that the system of Collective Security must be universal in scope, that its obligations must aim at the restraint of aggression in every quarter of the globe, two important limitations must be made clear.

First, this does not mean that the consent and co-operation of every single nation in the world must necessarily be obtained. We must not give a *liberum veto* to the dictators or the general staffs of those nations who are under the temporary domination of a militarist régime. There are still fifty-seven Members of the League; among them they comprise the vast majority of mankind. They can count upon the

warm sympathy, and in a certain measure upon the active co-operation, of the United States. They are certainly strong enough, if they so desire, to make a peace system which the militarist non-Members of the League would never dare to attack. A certain dictator said recently that he would solve a dispute with a neighbour country 'with Geneva, without Geneva, or against Geneva'. The peace-loving nations of the world may reply to him and to all militarists that they will make peace 'with the dictators, without the dictators, or against the dictators'.

In the second place, universality of scope does not mean that the same practical arrangements must be made in every quarter of the globe. It is possible that in Europe, where the dangers are peculiarly great, special plans for keeping peace may be required. An International Air Police Force might be set up in that continent, even if the other continents did not at the beginning think it possible to take part. Universality of scope does not mean universality of practical arrangements; it does mean a universal obligation on every State to participate in collective action, wherever it may occur, and to do so to prevent aggression 'to an extent which is compatible with its military situation and takes its geographical position into account'.

*v. Further Principles of the Collective System.*

The Collective System must be in principle universal in the claim which it makes upon the strength of the participating Powers. I have always detested the use of force in all its forms. I am terrified of any outbreak of actual fighting, for once fighting begins no man can tell where it will end. I have always believed that a comprehensive plan of sanctions, if it were adequately prepared in time of

peace, could prevent almost any possible aggression by the operation of economic measures alone. But if you are determined to prevent war, you must recognize the fact that economic pressure may not alone suffice, that the aggressor may reply to economic pressure by armed attack, that unless you are willing to check that armed attack your economic pressure will fail and the aggressor will triumph. In other words, if States desire to act together to prevent war, they must be prepared not only to make the sacrifices involved in economic measures, but they must be prepared to throw the whole of their national strength into a common pool so powerful that no aggressor in the world can ever hope to resist it.

Next, the organization of Collective Security, if it is to succeed in its purpose, must, as has been said above, be part of a universal system of rules and institutions covering international relationships of every kind. Unless positive international co-operation is built up in all spheres where nations share common interests, they will not be able to eliminate the causes from which conflicts spring. But most important of all, this universal system of rules and institutions must provide machinery not only for the consideration, but for the *settlement*, of all international disputes. This means in practice that the scope of judicial settlement and arbitration must be widened to the utmost possible extent. Experience has shown with tragic clarity in recent years how imperfect an instrument the Council of the League is for dealing with disputes in which legal, moral, economic and political factors are all involved. Had the incident arising from the explosion alleged to have occurred on the South Manchurian Railway on 18 September, 1931, or the Wal Wal incident, been immediately referred to the Perma-

nent Court of International Justice for the adjudication of responsibility and the assessment of damages to be paid, the risk of subsequent aggression would have been enormously reduced. And there is something even more important than the substitution of arbitral for political procedure in the treatment of disputes. It is that the machinery of the Collective System for settling disputes should *always* be used at the earliest possible moment. Few people doubt that, if the Wal Wal incident had been discussed in open Council in January 1935, and if on that occasion the Governments of France and Great Britain had made the declarations they made nine months later, no more would have been heard of Signor Mussolini's Abyssinian adventure. The Collective System cannot work if the most difficult disputes are withdrawn from immediate consideration by League tribunals and are dealt with instead by the old methods of diplomacy until the conflict has become so exacerbated that no solution remains possible which is not full of danger. If the Members of the League and the Powers participating in the Collective System are asked to bear their share of the responsibilities and burdens which the failure to settle disputes may ultimately involve, they must equally be given a chance to assist at the earliest possible moment in securing a settlement that shall be based on justice and co-operation.

Finally, the system of Collective Security must be universal in its application. Its law must not only proscribe war of every kind in all parts of the world; that law must be upheld in every case in which it is infringed. No system of Collective Security, indeed, can be made to work unless it is founded on rules which the generality of mankind accept as binding law. Joint action against aggression will only be possible, if nations are ready to make the sacrifices required. The



strongest factor in bringing them to that state of mind will be what international lawyers call 'the juridical conscience of mankind'. It is the defence of the sanctity of international law which is most likely to induce educated democracies to bear the burdens which sanctions must involve. British experience in 1914 proves that this is true. What above all else secured the whole-hearted support of the British people for the war was the German violation of the Belgian Treaty of Guarantee of 1839. The overriding importance of this factor was recognized in certain extremely important Staff College memoranda made in 1907 and published not long ago by Sir George Aston.

The Romans used to say *ubi societas ibi lex*; and indeed in a real sense society *is* law. International peace can never be upheld by any system of 'voluntary self-control'. But rules which are not applied in every case are not law; they lose the binding character and the universal moral appeal which are an indispensable condition of the success of a system of Collective Security.

vi. *What Law is Required as a Foundation for an Effective System of Collective Security?*

What kind of law is required, then, as a foundation for a system of Collective Security that can effectively prevent aggression? Is that law already in existence? Or must we make a new start by new instruments to be drawn up by a new Conference for the organization of security and peace?

These are those who say that we already have the Covenant and the Kellogg Pact; that between them these instruments provide all the law that is required; that if only the Members of the League had resolutely applied them since 1920 the

thought of war would already have disappeared from the minds of men; that new instruments for the same purpose can only weaken the effect of the obligations already undertaken; and that what is now needed is not more paper engagements like those already made, but action to uphold the system to which the Governments are already committed.

No one who has followed the history of the League can fail to sympathize with this point of view. If the Governments of both Great Britain and France had from 1919 onwards firmly declared their intention to apply every jot and tittle of the Covenant whenever and wherever aggression might be threatened, and if they had applied that pledge in the cases of Corfu in 1923, of Manchuria in 1931, and of the Chaco in 1932, we should not to-day be facing the issue which the Abyssinian dispute has raised.

But unfortunately the Covenant has not been so supported. On the contrary, at these grave crises action has been taken and speeches have been made by leading statesmen of some of the greater Powers which have served to expose the legal gaps of which the Covenant is full, and to create a general belief throughout the world in its weakness rather than in its strength.

For this reason a new start is definitely required. That does not mean scrapping the Covenant and the Kellogg Pact. On the contrary, they are binding law and must be recognized as such. Indeed, without the recognition of their binding force there can be no possible starting-point for any system of Collective Security to-day.

But those two instruments must be strengthened where experience has shown that they are weak. The Covenant must be completed by 'bringing it into line with the Kellogg Pact'; the amendments for this purpose prepared by the

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Assemblies of 1930 and 1931 must be carried through, and the famous 'gap' in Article 15 must thus be closed.

The system of arbitration must be extended so that as a general rule important disputes shall be dealt with first by the Permanent Court of International Justice or by an *ad hoc* arbitral tribunal. In other words, the substance of the Optional Clause and the General Act must be accepted by all the Members of the League, as it would have been if the Geneva Protocol had been carried through.

The 'gap' in Article 16—the rule by which each Member of the League is to decide for itself when aggression has occurred—must in some way be removed. There must, that is to say, be some clearer definition of what constitutes aggression, and the Council must be given the power to apply that definition by taking whatever decisions may be required. For this purpose the parties concerned should not, of course, be allowed to vote; and to prevent abuse the adoption of some further modification of the unanimity rule may be required.

The task of the Council in applying the definition of aggression must be rendered easier, and its responsibilities lightened, by increasing its legal powers to take preventive measures. In other words, the substance of Herr Stresemann's 'Convention for Strengthening the Means of Preventing War' must be adopted. The League must be able to call upon parties to cease their preparations for war. It must be able to call upon the parties to establish neutral zones between their forces and to send League Commissioners of control to ensure that the neutrality of these zones is effectively observed. The preparation of the Abyssinian adventure has shown the absurdity of this present weakness of the League.

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Assistance to the victim of aggression must be worked out in advance. Sir Austen Chamberlain's Treaty of Financial Assistance, which was adopted in 1930, and which only awaits the ratification of the Powers, should now be brought into force. Plans for economic sanctions should be carefully prepared and the necessary national legislation should be passed.

Finally, the provisions of the Covenant concerning disarmament must at long last be fulfilled. Qualitative disarmament, budgetary limitation, the limitation of man power, the abolition of disguised 'para-military' formations, the abolition of the private manufacture of armaments, the control of the arms traffic, the organization of a strengthened system of international supervision and control—these are indispensable elements of an effective system. For the air danger, drastic measures are plainly needed—the total abolition of national military air forces, an international régime for civil aviation, the organization of world airways, and in all probability the creation of some form of joint international Air Police Force, at least for Europe.<sup>1</sup>

<sup>1</sup> On the motion of Lord Allen and Sir Austen Chamberlain a resolution was adopted at the General Council of the League of Nations Union at Cambridge in July 1935, which reads as follows:

'The General Council of the League of Nations Union . . . reaffirms in particular its conviction that all-round abolition of national air forces, which was proposed on certain conditions in the British Draft Convention of March 1933, is vital to the security of nations against the most sudden and atrocious of all forms of warfare; Recognizes that such abolition will prove unattainable unless coupled with effective measures to prevent the use of civil aviation for military purposes; Urges H.M.G. to press unceasingly and with all its influence for the total abolition of all national air forces in the shortest possible time, and to indicate its detailed proposals for the international control or internationalization of civil aviation; and If these objects are found to be impracticable unless the system of international control

Many people, when they contemplate a programme such as this, will say that we are asking for nothing less than the organization of an international super-State. I am not frightened of such a criticism. Sovereignty is a word which has long ceased to represent anything of real value in the life of men; under the pressure of great world forces its content is being progressively reduced. Whether we like it or not, whether we know it or not, we are already living in an international community which can truly be described as a world State. It is ill-organized in the extreme; compared with the most primitive of the Members of the League—shall we say Abyssinia—its political development is very backward, its provincial chiefs have more arbitrary power, the danger of their raids against their neighbours is even greater. But the immaturity of its political organization does not affect the fact that, however much they may kick against the pricks, even Lord Rothermere and Lord Beaverbrook are citizens of the world. The international community has taken the essential step towards effective political organization by agreeing to a world law against violence, backed by a general obligation that world power will restrain aggressors who seek to violate it. The reign of that world law is not yet firmly established. But it is my profound conviction that it is destined to triumph, and for the same reason which has secured the triumph of every law in the history of mankind. The common peoples of the world State have given to this new law their loyal and passionate consent.

of civil aviation is supplemented by provisions for the maintenance (as part of that system) of an air force or air forces to prevent the use of civil aircraft for military purposes, the Council further urges H.M.G. to examine, through the Air Commission set up by the Disarmament Conference, how such a force or forces may be established.'

## CHAPTER XII

# ECONOMIC CO-OPERATION AS THE BASIS OF ECONOMIC WORLD ORDER

by

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### i. *The Meaning of Economic Co-operation.*

THE satisfaction of human wants by means of goods and services is the main object of economic activities.

It can be accomplished either by a Government furnishing them to its nationals or by the exertions of these nationals, who produce and tender them, and exchange the product with each other. The former may be called the direct (State), the latter the indirect (private) method.

The States comprising the political world can be envisaged as completely self-sufficient units, neither offering nor receiving goods or services from others. In this case there is no economic co-operation.

The world we live in is organized on different lines. Most political units draw the main volume of the goods and the services their members need from their own national resources within their political boundaries. But nearly all of them have to cover a considerable deficit by supplies from abroad, to be paid by a surplus raised at home and sent abroad in return for it. This exchange of goods and services between various political units is 'economic co-operation'. It is *direct* (State) when carried out by Governments, and *indirect* (private) when these transactions are effected

by particular individuals, the Governments being satisfied with laying down certain conditions under which goods and services may cross their political frontiers.

Co-operation, direct as well as indirect, may be *collective*, *co-ordinate*, or *complementary*. When the United States Government and the Canadian Government joined forces for the improvement of the St. Lawrence navigation they went in for *collective* co-operation. They did so to accomplish a purpose neither could have accomplished alone.

Genuine *collective co-operation* is not yet very frequent. There are a few cases like the Postal Union, the control of international waterways, some international telegraph and radio agreements, or the Opium Convention. A few instances of political condominium might be added. As far as the League of Nations Governments in the Saar and in Danzig were exercising economic functions these might be included. Instances of indirect (private) collective co-operation are perhaps more numerous. The formation of the Congo Free State by private capitalists under the leadership of King Leopold of Belgium belongs to this class, as well as the various joint administrations, which the creditors of certain bankrupt States, like Egypt, Turkey, and others set up in order to reorganize their finances. The most interesting illustration is perhaps the 'Bank for International Settlements' founded by the central banks of the world to settle certain financial problems which no individual central bank could solve.

Co-ordinate co-operation must not be mistaken for collective co-operation. Parallel action taken by several Governments for the purpose of gaining an economic object differs greatly from joint action. The adoption of the gold standard by various countries desiring stability of their

currencies in relation to each other is not equivalent to the adoption of a universal currency controlled by one central agency; neither is a naval agreement limiting national fleets equivalent to an agreement abolishing them in favour of an international navy. Some acts of co-ordinating co-operation are extremely important. The creation of the International Labour Office may be considered a case of collective co-operation, in so far as a new International Government Agency was established. Its resolutions for the reductions of working hours all over the world might lead to far-reaching co-ordinating co-operation, if the legislatures of the several countries concerned enacted identical laws.

A great deal of co-ordinate co-operation is, however, merely formal. Its object is not an ampler satisfaction of human wants by means of international exchange, but a diminished satisfaction by some sort of parallel legislation. The international wheat agreement restricting exports by parallel action is a case in point, and so are some of the governmental rubber restriction schemes.

Arrangements between private groups in different countries serve the same object. The *forms* of co-operation are employed in order to diminish its scope. The international steel pact may serve as an illustration. These agreements have elicited an entirely superfluous enthusiasm amongst good internationalists, who mistake the form for the matter. Monopolists pooling their output and levying a tribute on the consumers irrespective of national boundaries are acting within their rights. This does not make them benefactors of mankind. A universal monopoly is a much more efficient monopoly than a national monopoly; is this efficiency in achieving a purpose considered unsocial within national



boundaries a reason for calling it helpful? *Combination* and *co-ordination* are not the same thing. Combination may be very useful to those who combine; it may be justified in many circumstances. As it is directed against somebody else, it is not co-operation. It might at the utmost be called *pseudo-co-operation*.

When the United States Government made a loan to the Chinese Government for the purpose of feeding the Chinese people, thus disposing of their surplus wheat stocks accumulating under their agricultural policy, their co-operation was *complementary* and *direct*; it is *complementary* and *indirect* when business people in the United States invest capital in the Canadian lumber industry or Canadian power plants and receive in return pulp or electric current across the international border.

#### ii. *State (Direct) Co-operation.*

A good deal of direct co-operation is taking place between States more or less loosely grouped together in a federation; they are co-ordinating their systems of taxation, pooling their resources, combining their railways and co-ordinating their separate land policies.

Next to unions come partnerships between mother countries and dependencies. Under the old colonial system intra-imperial co-operation was thoroughly organized, each member of the colonial empire being limited to the production of certain commodities, the markets for which were those of other members. Colonies often had to pay tributes to the home Government, frequently in kind. Mexico and Peru handed over to the Crown a fifth of the output of their gold and silver mines; the Dutch Indies furnished fixed quantities of tropical produce their natives were forced

to cultivate—a policy imitated later on by the rubber exactions in the Belgian Congo.

Of late this system has been inverted. The mother country has to furnish the colony, at least in its incipient stage, with funds from which no return is expected. She defrays a considerable part of the costs for sending out emigrants. She advances money on terms which the colony's credit does not yet justify. Great Britain has greatly reduced debt charges to her daughter States by making dominion loans trust securities. By substituting a United Kingdom loan for a Dominion issue she has saved Newfoundland from insolvency.

Direct support, such as given to dependencies, is rarely offered to independent countries in times of peace. But a cancellation of inter-allied war loans, or war subsidies, does not differ much from subventions. And the guarantee of a loan which reduces the rate of interest works in the same way. When the Austrian loan of 1923 was guaranteed by England, France, Italy and a few other Powers, the taxpayer of the guaranteeing country relieved the Austrian taxpayer of the responsibility of ultimate solvency.

Direct economic co-operation was practised on a gigantic scale during the Great War. First England and France granted loans to their Allies; later on the United States Government borrowed very nearly ten billion dollars from its own people, the proceeds of which were put at the disposal of the Associate Powers and spent on the purchase of goods in the United States. Financial co-operation later on turned into downright economic co-operation by the establishment of centralized purchasing agencies and ultimately by pooling shipping resources.

War indemnities establish a kind of compulsory co-opera-

tion between taxpayers of a vanquished country and those of a victorious country. They can only be settled in the last resort by exports of goods and services or by relinquishing claims on third parties for goods and services. After the Great War the German Government had to hand over to the Allied Governments as instalments on its reparation debt ships and foreign claims, chemical products and, over a number of years, coal and coke. Plans for rebuilding the devastated areas in France by German labour corps, to be paid by the German Government, were seriously discussed. This compulsory co-operation did not work very successfully, partly because the German Government did not own the goods extorted from it, and had to buy them from more or less recalcitrant private parties; partly, too, because the forecasts of the future developments of European trade and industry, on which these exactions were based, proved to be wholly erroneous.

### iii. *Private (Indirect) Co-operation.*

Normal international co-operation so far has been mainly indirect. It is carried on by nationals of several countries migrating from one country to another and by exchanging goods and services. Migrations involve a certain transfer of goods, as the immigrants bring their belongings along with them or send part of their earnings to their relations at home. Services include transportation (shipping), communication (news), banking, insurance, use of patents and of other profit-yielding intellectual activities (royalties). Payments for goods or services received are either made on a cash basis or postponed. Credit operations form an important part of international economic co-operation; payments for commodities and services received are deferred or cash for

the purchase of goods and services is advanced to be returned with interest later on.

These movements of men and capital have changed the face of the world completely. They formed new societies in the Americas and in Australia. They have transformed old or primitive societies in Africa and Asia. The exchange of goods between various countries and civilizations has developed modern capitalist society.

Private co-operation was originally *complementary*, one country exchanging its natural products for the different natural products of other countries, or, later on, by exchanging men or skill and capital, for land and raw produce. But the specialization resulting from climate, situation and natural resources of land and of men which formerly was supposed to be the work of Providence, does not exist any longer. The craving for equality and security amongst nations has made them turn out goods within their own confines at comparatively high costs which they could have got from abroad under far more favourable conditions. The scope of, as well as the need for, indirect co-operation is contracting. It is no longer purely *complementary*, it has become highly *competitive*. Co-operation no longer turns on supplementing national consumption with goods not obtainable at home, but on comparative costs of production.

The importation of cheaper goods greatly benefits the importing country by the increased satisfaction of consumers' wants, but it may dislocate its production. Disturbances resulting from immigration are even more serious. New enterprises can be undertaken as the influx of additional labour reduces wages; but it may depress the resident workers' 'standard of living' and cause 'racial frictions'. And whilst the transfer of capital from abroad by lowering the rate of

interest may stimulate new industries in the debtor country, it may raise it in the creditor country and subject its industry to competition started by these loans. For this reason the German Agrarians objected to the building and financing of the Baghdad railway by German capital: for it might cheapen wheat-growing in Mesopotamia and depress the wheat prices in Germany, and it might raise, too, the rate of interest on their mortgages, or at least prevent their decline. Cheap foreign imported wheat may help to raise the standard of living of the industrial workers and enable them to satisfy with declining costs the demand for manufactured goods in the wheat-exporting countries; but it led to agricultural depression in the wheat-importing countries and to industrial retardation in the wheat-exporting countries. In due time the more backward agricultural and manufacturing establishments all over the world might have been wiped out. Agricultural as well as industrial production would have been concentrated on the most favoured spots. Capital and labour would have combined in establishing centres of production wherever they could expect the greatest return for their efforts. Indirect economic co-operation would ultimately have spread over the entire earth in exactly the same way in which it is spreading to-day between the various groups of producers within the borders of a single country. It would completely ignore political boundaries and make political co-operation inevitable. Economic development of this sort presupposes a parallel political development and ultimately a state of affairs, in which the whole world may be looked upon as a kind of federal world State, the citizens of which are citizens of its Member States as well. They and their belongings can freely move from one Member State to another, carry on their activities wherever they like,

and exchange goods and services with citizens of the other Member States without any legal obstacles.

This kind of economic co-operation has been pursued within the great federal agglomerations of the world (the United States) and to a lesser degree within the empires comprising Motherlands and dependencies (France) or by imperial partnerships (British Empire). In these colonial empires political organization is looser and co-operation is much less complete than in the more closely knit federal unions. There is almost complete free trade in goods and services between the forty-eight States' forming the United States. But there is not much *direct* (collective) co-operation for economic purposes by the Member States, as the central Government is serving their collective wants. There is more collective (State) co-operation within the British Empire where the various Governments work hand in hand in joint settlement schemes or on joint financial arrangements. But private (indirect) co-operation is much more hampered: There is neither empire free trade nor unrestricted migration, and even the movements of capital are by no means completely uncontrolled.

#### *iv. The Risks of Co-operation.*

The political animosities between various political units not combined in federations or empires greatly restrict the scope of economic co-operation. As long as fear and envy affect relations between nations the risks involved in a sudden interruption of intercourse prevent complete interdependence. The normal flow of goods and services between belligerents can scarcely be expected to continue after war has been declared, and even between neutrals and belligerents trade is by no means assured. The principle

of the free sea has not yet been universally acknowledged. Moreover, mere acknowledgement without international sanctions for strict observation would be no good in the present state of political morals. But interdependence may entail other dangers than those of war. The natural resources on which production of goods and services depends are unevenly distributed amongst the nations of the world. So is the ownership of important ways of communications. By the control of some scarce basic commodity or of a high-way of commerce a favoured country may put pressure on other countries. Exclusion from the wide settlement areas not yet opened up may bring misery to over-populated nations. The withholding of capital to poor nations may retard their social development. Even an embargo on arms against countries engaged in altercations preceding a war may be oppressive. A country without a national armament industry may be punished for its peaceful attitude by the sudden withholding of supplies.

Since repudiation by one-sided action of debtor Governments has become frequent, and since the depreciation of currencies or the establishment of exchange control has offered new opportunities for defrauding foreign creditors, financial co-operation, at one time considered extremely beneficial to both sides, is being turned into a cause of grave international friction.

The resources of many countries are fairly undeveloped; their future possibilities are very great; by depending on economic co-operation with other countries they might retard their own development, perhaps for decades. The existing cotton mills of the older countries could easily satisfy the needs of all nations. A great many comparatively new plants could be scrapped if spinning and weaving

were concentrated in plants technically,<sup>1</sup> economically, and financially best suited for them. If economic co-operation had prevailed, the industrialization of a good many countries would have been postponed. The feeling of inferiority haunting countries not yet completely developed industrially will not permit them to suffer a state of affairs in which they are dependent for manufactured goods on highly industrialized countries, whilst they remain backward agriculturists.

v. *Throttled Co-operation*

The result of these tendencies has been *throttled co-operation*. Exchange movements of men, goods, and services between different political units are allowed to go on. Until lately they were regulated by international agreements, most of them concluded as treaties of commerce running for a few years, which guarantee all nations a certain amount of equal treatment by means of the most favoured nation clause. In the last few years new sorts of control have been devised, not so much with the object of directing as of throttling the flow of goods. By import duties, quotas, licences, clearing schemes and compensation arrangements inward trade and immigration are tolerated, but their volume is reduced either indirectly by making them more costly, or directly by restricting their quantity. The outflow movement, on the other hand, exports and emigration, is greatly encouraged by premiums, subsidies, subventions, and dumping. Every country is bent on obstructing the satisfaction of the wants of its nationals by making it more expensive, whilst trying equally hard to supply foreign consumers by artificially cheapened exports. The universal gold standard has been replaced by manipulated currencies.



Governments are depreciating their own currencies in order to raise prices at home, to contract imports and to make living expensive, and to lower prices abroad by dumping exports enabling foreigners to amplify their consumption.

The main object of manipulation by the repudiating State was to snatch some benefits for its people at the cost of non-repudiating countries. It is *competitive co-operation* where exports and *throttled co-operation* where imports are concerned. It is deliberate trade-expansion on the export side and equally deliberate trade-contraction on the import side.

The economic policy of the last years might be called 'pseudo co-operation'. Many countries have passed parallel legislation for controlling the flow of men, goods, and services across their borders. The use of the 'quota' system has become almost universal; bilateral compensation and clearing arrangements are the rule. It is done *directly* by Governments binding themselves to export and import limitation by quota, *indirectly* when private associations like the International Steel Union make pacts restricting the flow of steel products from and to nearly all countries with the consent of their Governments. In every case the purpose is the quantitative reduction of goods or men sent by one country to another, the establishment of artificial scarcity, the diminution of the total volume available for the satisfaction of human wants by legislative measures in which all countries join. Where reciprocal arrangements go so far as to bind the partners to supply each other as little as possible, we might speak of 'negative co-operation'. For it is co-operative action intended to 'raise obstacles' to the satisfaction of human wants.

vi. *Autarchy and Collectivism.*

In order to limit exports and imports thoroughly, Governments are handling imports and exports directly.

By doing so the number of contacts is greatly reduced; it might cease completely, if Autarchy were accepted universally.

The early advocates of Autarchy proposed their system as a remedy for the frictions resulting from competitive economic co-operation. The complete severance of all international intercourse would undoubtedly eliminate causes as well as consequences of friction due to contacts. It would not abolish economic inequality in wealth and power, in size and population, in race and cultural accomplishments.

As long as glaring inequalities prevail amongst the 'haves' and the 'have-nots', the world cannot ever be organized as a collection of completely self-sufficient States. A few giant States, who can do without co-operation from other States, might be formed as completely autarchic units. But the smaller and less favourably situated countries cannot do without co-operation from abroad. If they were permanently excluded from sharing the benefits of the vast resources enjoyed by the giant States, their discontent would become permanent. They would have to combine and, using the rivalries of the big States, bring about a redistribution of territory. If the world is not willing to accept economic co-operation of some sort, it will be formed into antagonistic political groups co-operating against but not with each other.

Would the abolition of Capitalism solve the problem?

The transition from Capitalism to Socialism is a structural change; it does not abolish inequality of resources. It is

inevitable in an attempt to bring about complete Autarchy; but Socialism or Collectivism as social systems do not automatically imply Autarchy. International economic co-operation between thoroughly socialized political units is quite feasible. Will it be peaceful and devoid of friction?

Readjustments under such a system will be as inevitable and difficult as under a system of private co-operation. They will not be less dangerous to the spirit of co-operation by being nationalized. So far Governments have stepped in when international intercourse had to be diminished or suppressed. There is no reason why a State completely controlling an economic system which is not self-supporting should be less aggressive in furthering its objects than a Capitalist State. Insufficiency of natural resources is not due to the prevalence of the profit system; it will not disappear with the establishment of a national Collective System. The rise of the Soviet power has discredited the gentle methods of evolutionary State Socialism; the transformation of the Capitalist States into Socialist Commonwealths can scarcely be expected as the result of peaceful development. The use of military terminology in purely domestic affairs and the application of militaristic methods to opponents at home by Russia will not create an atmosphere for friendly co-operation at home or abroad.

Antagonistic private economic interests in various countries invariably have come to terms over business differences, whenever they could not fall back on their Governments. Collectivism may outlaw profits without outlawing coercion. It does not dispose of economic issues between the nations. It does not do away with passions and hatred. Since Communism has been fighting Capitalism with warlike methods, and since Fascism has been fighting back Com-

munism with its own weapons, a new cult of force and violence has arisen which makes aggressive methods by the State highly meritorious—quite regardless of the purpose they may have to serve.

vii. *Inequality.*

Neither Autarchy nor Collectivism as such do away with inequality.

There are but four ways of abolishing or correcting inequality; interchange of territory, annexation, federation, or comparatively unhampered trade, co-operation.

(1) Greater economic equality will scarcely be established by a peaceful shifting of frontiers.

The 'haves' to-day are scarcely wise enough to make considerable concessions in order to aggrandize the 'have-nots', quite apart from the objections such cessions might raise amongst the inhabitants of territories to be exchanged.

(2) Largescale reshuffles by conquest and annexations have been frequent. They might merely shift the burden of inequality to other shoulders. The smaller and weaker States cannot expand into big empires by aggressive annexation.

(3) World federation might abolish the worst consequences of economic inequality by facilitating frictionless co-operation. If all separate political units were economically dependent on exchange co-operation, none would dare to go to war. For the snapping of these ties would involve risks of such magnitude as to hold back even the most light-hearted statesman. The several Member States of the various unions in existence to-day, who enjoy complete liberty of economic co-operation, are not likely to go to war with each other, though the Civil War in the United States

and the Austro-Prussian War of 1866 are a warning that social or political animosities may break federal ties.

A federal organization of the entire world providing unhampered economic co-operation between its members might establish security and make territorial equalization superfluous. It cannot be accomplished without severe trials. The pressure put on Governments by the victims as well as by the beneficiaries of dislocations arising from widened competitive co-operation would be hard to overcome. Governments might be wise if economic pressure groups masquerading their sectional interest as fervent patriotism did not force their hands. But Government intervention in economics all over the world is due to a curious blend of almost hysterical emotional nationalism and extremely frigid scheming.

Partial (regional) federations are more easily attained. But their scope is limited. For the union of countries possessing the same (competitive) economic structure would merely add their several unsaleable surpluses and their uncoverable deficits. States with a complementary structure might strengthen each other. So far, however, peaceful federation on economic lines has been limited to States of identical political structure and aspirations. It has often preceded political union, being an instrument for national unification.

(4) There is really only one way for reducing the tension which may shatter the political equilibrium any day, if the economic disequilibrium is allowed to continue: The return to a wider exchange, as practised before the war. It enabled the smaller and poorer States to participate in the wealth of the stronger States by migration, investments, and trade. The owners of the world's vast unexploited territories had to pay

ransom for the enjoyment of unfettered political control by letting the others share the business of their possessions. A general adoption of the system of the 'open door' would undoubtedly deprive the owners of privileged positions of some of the benefits of monopoly. It would free them from the risk of anti-imperialistic crusades on the one hand and aggressive empire-making rivalries on the other. The old maxim that property has its duties as well as its rights holds good in the relations of nations. After a great war the victors and not the vanquished must *buy peace*, or the vanquished opponents will prepare revenge. The *beati possidentes* in the economic field must do the same. They must buy peace from those less favourably situated. They may do it by letting them share rights as well as duties, by ceding to them a sufficient slice of territory to redress the balance. They might offer them a system of complete federation. Neither of these roads are passable to-day. But they can let them share equally in the exploitation of part of their wealth and thus buy peace from them by organizing economic co-operation on a wider scale. They will have to evolve a code of '*international hospitality*' which will permit efficient co-operation in time of peace as well as in time of war. Collective Security is a worthy aim. But mere political co-operation is a hollow phrase, if not closely linked to economic co-operation. Some effort must be made under the leadership of the 'haves', or one day the 'have-nots' will take the matter into their own hands.

CHAPTER XIII

WORLD ORGANIZATION THROUGH  
DEMOCRACY

by

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i. *The Disease.*

PRACTICAL experience has a way of bringing one to profound convictions whose full basis is annoyingly hard to express. Several such convictions have grown in me during the past six years while reporting the world's efforts, through the League of Nations, the International Labour Organization, the Bank for International Settlements and conferences to deal with the armaments race, the Manchurian and Ethiopian challenges, the monetary and economic war, the unemployment evil and other ills, and to secure freedom and peace and recovery.

One of these convictions is that all those ills are inextricably inter-related, so much so that there can be no wise diagnosis, treatment, or cure of them separately. They form, in fact, one disease. The peculiar vantage-point my work gave me helped me to see this. It has not been my task to represent any Government or to promote any policy or interest. Nor has it been my responsibility to solve or cope with any of these questions. It has been my task and responsibility to try to report objectively, understandingly, and accurately to any one who cared to read what others

\* We thank the *New York Times* in which part of this chapter, including the tables, was originally published.

have been doing in all these fields. This function required close continual contact with all important Governments, and with all world questions, political, economic, financial, monetary, and social—and yet sharp detachment always from each of them. No one present but the reporter had this function. Nor was any one present under more pressure than the reporter to see every question and every development in terms of living men and women, nor under more constant stimulus to divine correctly the essentials in them interesting people thousands of miles away.

With such a function one could hardly fail to be impressed in the course of years by the way the different Governments come together always to the tune, 'They're all out of step but me', each believing its own past to be peculiarly virtuous, or its own motives singularly sincere in a world of sinister intriguers, or offering other evidence of megalomania, persecution mania, or ridiculously irrational approach to the task at hand. They all seemed to come from an Alice in Wonderland world where it was held self-evident that all nations are created superior, and that the part is greater than the whole.

Through being together, the delegates become in time more rational, but behind them are Governments that are under no such pressure to get a sense of proportion internationally, and behind them are the people whom the Governments believe to be still more backward. And so delegates cannot advance too far, at least not in public. At best, too, there is a certain natural distortion in the views of delegates and Governments. They are engaged in pleading a cause. They are concentrated on only one part of the whole of mankind, they have great responsibilities for and toward that part, and almost any one responsible for and to a nation is bound to see that nation as the all-important



thing in the world. This, of course, does not make it so. Nor does it make sound any effort to discharge those responsibilities that is based on this unsound premise.

. One with a reporter's function could not fail to be impressed, too, by the way nearly all the delegates or experts at any given meeting seem to agree that its subject can or should be handled by itself. This, of course, no more prevents them from believing that other questions could or should be handled together than the idea that the United States should be a law unto itself prevents Americans from blaming European nations for not getting together. When the question is military disarmament or peace, one finds at a conference one set of men, and a quite different set when the question is economic disarmament; a still different set deals with unemployment and social questions. The American, Englishman, and Frenchman in each set have their differences, but they seem to understand each other better than they understand their fellow-citizens representing the same Government in the other two sets.

There are, of course, exceptions everywhere, and the exceptions tend to grow in quantity and quality. Just as one cannot come to Geneva or Basle without getting a little better sense of proportion nationally, one cannot come there on one question without being made more or less aware that it is only one of a number of interlocking questions.

The expert or technician, being under pressure to produce results in a given problem, is usually soon driven to acknowledging the need of seeing the world as a whole and not as separate nations. The statesman at the top, being under pressure to produce results in a given nation, is soon driven to dealing consciously or unconsciously with all these problems—political, economic, financial, monetary, social—

as one inter-related problem in politics, but to dealing with it on a national rather than a world basis. And as he cannot get results by that separatist way any more than the expert can by his separatist way, he is caught in precisely the same kind of vicious circle as his expert advisers.

The reporter, being under pressure to report all this accurately and fairly, and therefore understandingly, is driven by his function to see that both the world and its problems must be regarded not simply as wholes but as one whole, that not only do the nations interlock and the problems interlock, but that these two themselves interlock. He is driven to see the politicians and the experts are not fools or knaves or hypocrites—as at first glance they seem to be to him—but generally men above the average in intelligence, goodwill, honesty, sincerity, fairness, patience, and devotion to duty and to their fellow-men. The reporter is driven to conclude that it is not the men who are to blame but the system. It makes some men responsible to the nation for dealing with all questions together on a national basis, and they do that. It makes other men responsible for considering each question on a world basis, and they do that. But it makes no men responsible for handling all world questions together on a world basis, and so no one does this. Everybody's business can never get done while it remains nobody's business.

How true this is may be seen from two facts. Though the situation just described is known to many statesmen and experts in many countries there has been no proposal to deal with this whole as a whole, which is to say, with the facts as they really are. There have been world disarmament conferences, and world monetary and economic conferences, and world labour conferences. They have got nowhere. There have been great separate national experiments com-

bining in their programme armament, monetary, economic, labour, and social action. Few programmes ever produced less at greater cost. But there has been no attempt yet even to face the whole world problem as a whole. That is one fact.

The other fact rises from it. The reason no such attempt has been made is at least partly because it seemed hopeless. The mechanism had proved inadequate to deal with any one of these things, how then could it possibly deal with all their complexities together? That seems reasonable. But when we cannot get results because our method is inadequate, common sense tells us that the first thing to do is to concentrate on finding a method of doing what we need to do. Yet there has been no conference on how to devise machinery to deal with this world problem, no committee named to study how to get done what everybody wants done—everybody's business. There has been any amount of research into how to cure the world's ills separately and nationally. There has been agreement that they form only one disease that can be cured only if treated as a whole. But research into how to treat these ills as the one disease they really form—how much research into that has there been?

## ii. *The Root Cause—Disunion Among the Democracies.*

Another of the convictions to which my experience has led me is that this disease that afflicts the world is at bottom a political disease of disunion among the old democracies, particularly the three great democracies. It has been borne in on me (more often by minor than by major examples) that, whenever the United States, Great Britain, and France really pull together, the rest of the world follows. On the negative side it has also been borne in on me (more by

major than by minor things) that whenever merely one of these great democracies disagrees with the others, all the world either is rent by the disagreement or whatever agreement on important matter is reached with one of these three outside it is congenitally crippled.

When the three great founders of the Rights of Man stood together democracy won the war so thoroughly that, of all the great autocratic monarchies then left in the world, only the Japanese survived, and it did so as an ally. While the three stood together, too, the first machinery to enable the democracies, old and young, to continue to pull together permanently was established in the Covenant of the League of Nations. A world society had been the dream of great men for ages; however rudimentary the mechanism, its mere establishment as a going concern was undeniably one of the grandest achievements of our species. But then the three great champions of individual liberty fell to quarrelling among themselves. The League since birth has been stricken by the absence of the United States—and the United States and all the world have been stricken by the absence of a practical means of doing world business. Stricken, not simply structurally, visibly, sharply, as by the loss of a leg, but systemically, invisibly, with dully wasting physical, moral, mental effects, as by a lack everywhere of blood corpuscles.

The root of all this was the disconcerting repugnance that the United States showed toward this League mechanism. Inevitable differences over reparations, debts, and the provisions of the Treaty of Versailles remained to poison the relations of the three and spread further evil when there proved to be no agreement on their League system for digesting all differences.

There has been a great deal of talk about disagreement with Germany, Italy, and Japan preventing disarmament, but the real trouble has been the perpetual disarmament-security debate between Great Britain and France, with the United States differing from each of them. None of the disarmament formulas these three have found from time to time have really met their basic divergencies. The record shows that in predominantly European questions, Great Britain and France have been able to swing Europe when they loyally pulled together. But even in this limited field action inside or outside the League has been hamstrung by the quarrels between these two leaders, and it is impossible to confine important questions to Europe.

Another thing that has let the autocracies grow stronger and bolder is that each of the three great democracies has time and again helped autocracies in order to win an argument with the other democracies. Great Britain and the United States have often favoured Mussolini in order to 'bring France to reason' on disarmament or reparations; the French helped the Fascists stay with them on gold against the monetary experiments of the Americans and British.

What wrecked the London Monetary and Economic Conference was not the presence of sixty odd nations there, nor the policies or tactics of Japanese, Germans, Italians, Russians; one hardly knew such Great Powers were present so much was the stage occupied by the three-cornered battle royal among the Americans, British, and French. What kept the League from acting to uphold the Covenant in the Far East was what kept the Peace Pact and Nine-Power Pact from being enforced then at the start when the British and French Governments were proposing to move, the United States held back, and when Washington was ready to act

London and Paris held back. The only action taken, that of condemning Japan and agreeing not to recognize Manchukuo, was taken only when the small European democracies brought a new element into the situation by pulling together. By their standing with the United States and making the most of the League machinery which Washington could not use, the French and British Governments were brought into line, and the rest of the world followed. This indicated more than the strength of the combined power of the small European democracies. It showed that much of the world's troubles is caused by the rarity with which these small democracies themselves work together.

Disunion—disunion among the democracies, among the three great democracies, between the American and the League democracies, between the British and the French democracies, among the small European democracies—disunion among the democracies, here, the day in and day out of world politics, convinced me more and more, was the real disease that demanded attention all along the line. But as the political and economic situation grew worse, this diagnosis was only the more neglected, and the theories that grew in popularity were those of the adversaries of democracy. They said that democracy was weak and dying, that its principles or its forms or both were wrong. What they prescribed was to give more power to the State, to substitute dictators for parliaments, to make the nation more self-supporting, and to develop everywhere nationalism, which is to say, to develop the points of separation rather than the points of unity among the democracies, and emphasize the freedom of the group rather than the freedom of the individual. When despairing democrats began to bewail the end of the League and of all hope of reaching international

agreement or of preventing war because Japan and Germany had quit Geneva and Italy was threatening to, it seemed to me the limit of topsy-turvy had been reached.

It is demonstrable, after all, that the League was never intended to make the world safe for what Mussolini calls the authoritarian State, what Hitler calls the totalitarian State, and what men before the war called militaristic autocracy. It was for the freedom of man that the world's freest peoples established that League. In the days when they were paying for it the highest price in human life they ever paid for one of their free institutions, they left less doubt than they do now that they sought by the League to save democracy from autocracy, anarchy, and war, under no matter what alias or disguise.

It seemed to me equally evident that the strength of democracy was being dangerously underrated and that of autocracy ridiculously overrated, for dire conclusions to be drawn from the fact that the absolutists themselves were creating, by self-elimination, a League of Free Nations. When democratic leaders answered Hitler's tirades and Mussolini's call for League reform by proposing concessions to coax the one to return to the League and Disarmament Conference, and the other to stay in—as if association with democracy was punishment instead of privilege—I thought the time had come to investigate what the comparative strength of democracy and autocracy in the world really was, and to see to just what degree the world's troubles lay in the disunion of the free.

### iii. *Different Political Systems Obtaining in the World To-day.*

For the purpose of this study I disregarded forms of government and took as the main dividing line the one made

by those two long-contending political theories, the democratic, which holds that the State is made for man, and the absolutist, which holds that man is made for the State. I limited the free group to those peoples that not only profess the Rights of Man but apply thoroughly these principles, and the absolutist group to those that not merely practise but preach the Rights of the State. This left a large group of peoples who profess democratic principles but for one reason or another fall short in their application of them, or practise autocracy without preaching it. From this group I separated an especially controversial case, Soviet Russia, making thus four groups. For most of my measurements of power I divided the world into these four groups; a few I confined to a more detailed study of the outstanding democracies and autocracies.

The Free group I restricted to only fifteen of the democracies of the world: The United States, the United Kingdom, France, Holland, Belgium, Switzerland, Denmark, Norway, Sweden, Australia, Canada, New Zealand, South Africa, Irish Free State, and Spain. Others, such as Czechoslovakia, Finland, Argentine, Uruguay, etc., might have been added, but I preferred to lean backwards and understate rather than overstate the power of democracy. There can be no question that the first thirteen must be counted among the freest peoples of the world; they are all stable, time-tested democracies. The Irish Free State is a younger State, but the reasons for including this people, so long closely linked with the British and American democracies, seem obvious. One may argue that other democracies are entitled to inclusion among the fifteen at least as much as so recent a newcomer as the Spanish Republic. The point is not important, for the primary



aim of these measurements is to estimate conservatively the united power of democracy (not to pass judgement to a fine degree on comparative democracy), and the net result would not be substantially changed by substituting another democracy for Spain. The Spanish Republic, moreover, has taken too leading a role in international affairs, particularly as regards the promotion of united action among the small European democracies and among those of Latin America, and occupies too strategic a place geographically not to receive preference here. This group of democracies is called the Fifteen Free throughout this paper, but it should be well understood at the outset that *nowhere is this term meant to be hard and fast*; it is used to simplify expression of the idea of a limited group of advanced democracies.

The absolutist group I limited to Japan, which still maintains the theory of the divine right of kings, and Germany and Italy, which militantly proclaim the divine right of the nation against not only the foreigner but the individual citizen. It may be said that Austria should be added to them. This study, however, was begun in 1933 before the *coup* in Austria came, and the study was then sufficiently advanced to show that the addition of Austria would make little difference in the result. It will be seen, indeed, that even if one adds to absolutism not simply all the doubtful cases, but all of the third group with which Austria is lumped here, one does not decisively change the balance of power between democracy and autocracy. As for such dictatorships as those in Turkey, Yugoslavia, Roumania, and Poland, they are not anti-democratic; they all profess to be only a temporary means of protecting youthful democracy.

The third group is composed of all the rest of the world

except Soviet Russia. This group covers a huge area and has a large population; it is potentially rich and powerful, but only potentially. It includes all Latin America, all Eastern Europe from Finland to Greece, Turkey, Persia, China, Siam, Abyssinia, and a few others. With such minor exceptions as Austria, Abyssinia, the Hedjaz, and Afghanistan, all its Governments profess democratic ideals; it might be called the group of more or less immature democracies. In any test of strength between the fifteen democracies, acting in unison, and absolutism, the power of this group must be counted almost completely on the side of freedom.

iv. *The Case of Soviet Russia.*

There remains Soviet Russia. One might argue that Russia should be included among the absolutists as a dictatorship, or on the ground its political theory sacrifices the individual to the collectivity and, at best, gears man to society rather than society to man. There is much in Russian practice to sustain such argument. One might, however, argue that the Soviet Union represents the germ of an advanced type of industrial democracy. One might argue that it belongs to the third group.

Certainly its political theory and practice differ radically from that of Japan in admitting no divine right monarch, and from that of Germany and Italy in denying the nation's supremacy over man. These three make birth the all-important thing. Soviet Russia, far from contesting the democratic principle that power over men should not descend for ever by accident of birth within a family or a nation or a race, seeks to apply this theory particularly in the field of economic power. It shares necessarily the democratic

theory that all men are created equal. Nazi Germany holds all Germans to be equal, but not all men; it holds those born German superior to others, particularly to those born with any Jewish blood. Soviet Russia draws no rational, race, colour, or sex line.

Nor can the democracies quarrel with Soviet Russia because of its use of collective machinery to gain these democratic ends. Democracy itself introduced collective machinery into politics. The democrat must object to the Socialist tendency to extend—particularly through the State—collectivist machinery simply for its own sake. But he must object equally to the same tendency in Capitalist society to maintain willy nilly the method of private enterprise, whether or not it is promoting individual freedom.

In one big respect Soviet Russia unquestionably falls short of democracy. Democracy not only allows mankind to choose and keep choosing freely between Capitalism and Collectivism, but it includes Socialist Governments and Press, as well as *laissez-faire* Governments and Press. Soviet Russia allows no such choice and no such freedom in its territory. The main question is whether this Soviet policy is one of temporary expediency or one of permanent principle. If it is one of expediency, then Soviet Russia must be classed with the immature democracies. If it is one of principle, Soviet Russia must be classed among the absolutists, for its real end then is not to serve individual freedom and equality but merely to preserve and strengthen one form of the State, and a form of it that makes the State all-powerful against the individual in everything. Only time can really answer whether Soviet policy so far has been one of expediency or of principle.

Meanwhile it needs to be noted that whereas basic Nazi

political theory is incompatible with democracy, basic Marxist political theory may be compatible with democracy, however much it—like Capitalism in Germany, Japan, and Italy, may be made to serve the ends of absolutism. Moreover, the practice of Marxist theory in Russia has necessarily been influenced, particularly at the start, by the fact that the Russians have always been accustomed to absolutism and bureaucracy. One can no more expect them to rid themselves of their past over-year than Fascists can hope by revolution to end quickly democracy in the United States or in any other country long habituated to individual freedom. Allowance made for the powerful factor of popular habit and training, even the practice of Marxist theory in Russia, has undoubtedly so far marked a great *net* advance for democracy.

At best, however, the position of Soviet Russia is still controversial and unique. Therefore it has been handled separately in this study, so that each can add Soviet Russia to whichever of the other three groups he himself thinks right, or leave it separate. It will be seen that whatever one does with it, Russia does not decisively change the balance.

From the point of view of war and peace, of any test of strength between democracy and absolutism, or rather, of the danger or possibility of any external attack on the democracies, one must, however, count Russia against the absolutist States. From two of them, Japan and Germany, Russia herself fears attack. By her entry into the League they quit, Soviet Russia showed where her sympathies and her interests lie.

Each of the absolutist trio, in short, stands practically alone against the world, and so they would still stand, even in the highly improbable event of the three ever succeeding

in joining their widely separated forces against the Free Fifteen.

v. *The Relative Strengths of Present-Day Democracies and Autocracies.*

Such are the four groups whose share of world power I studied. The study resulted in the tables that follow. The figures in all of them include colonies and dependencies, except those for the death-rate, and Tables iv and v; these are limited to the home population. I computed all these figures from the latest complete data available in the various statistical publications of the League of Nations, or took them direct from these official sources. They are corrected for exchange variations, and all values are given in the old gold dollar of 1929-32, the period covered—not the present Roosevelt dollar.

Table i gives the population and area of each of the Fifteen and the Three, with the figures for Russia, China, and Latin America added for perspective. This table indicates that if man-power is the basis for the title of Great Power, Holland with her colonies is entitled to a permanent seat in the League Council before Italy or Germany, and if land-power is the basis Canada, Australia, South Africa, and (with their colonies) Holland and Belgium surpass all the autocracies, while Spain is larger than Japan and Germany.

Most of the thirty comparisons of power in the other tables are made both for 1929 and 1932, to show trend and allow study of the effects of the depression on the various groups. Nothing later than 1932 has been attempted partly because the results for 1929 and 1932 suffice to show that the figures for 1933 and 1934 could not conceivably change the situation materially, let alone decisively. These computations,

TABLE I  
POPULATION AND AREA  
(000 omitted)

	Population with Dependencies	Population without Dependencies	Area with Dependencies, square km.
<i>Free Fifteen</i>			
Great Britain .. ..	465,665	46,340	14,299
United States .. ..	139,536	124,822	9,694
France .. ..	106,562	41,860	11,558
Netherlands .. ..	70,310	8,062	2,085
Spain .. ..	24,792	23,800	846
Belgium .. ..	21,659	8,159	2,471
Canada .. ..	10,460	10,460	9,543
Union of South Africa ..	8,521	1,859	2,058
Australia .. ..	7,069	6,526	7,936
Sweden .. ..	6,162	6,162	448
Switzerland .. ..	4,095	4,095	41
Denmark .. ..	3,620	3,603	347
Irish Free State .. ..	2,957	2,957	70
Norway .. ..	2,831	2,831	389
New Zealand .. ..	1,568	1,534	272
Totals .. ..	876,207	293,070	62,057
<i>Absolutist Trio</i>			
Japan .. ..	93,493	65,500	681
Germany .. ..	64,776	64,776	469
Italy .. ..	44,044	41,699	2,429
Totals .. ..	202,313	171,975	3,579
Russia .. ..	165,700	165,700	21,176
China .. ..	450,000	450,000	11,103
Latin America .. ..	115,301	115,301	20,479

TABLE II—RELATIVE STRENGTH OF THE FREE AND THE ABSOLUTIST NATIONS

Measure	Year	Percentage of World Total			
		Absolutist Three	Free Fifteen	All Others except U.S.S.R.	Soviet Russia
Population .. .. .	1931	10	43	39	8
Area .. .. .	1931	3	47	34	16
Rubber Production .. .. .	1929	0	96.9	3.1	0
	1932	0	98.6	1.4	0
Automobile Production .. .. .	1929	2	97	1	0
	1932	4	95	1	0
Nickel Production .. .. .	1929	0	99.5	0.5	0
	1932	0	94.9	5.1	0
Gold Reserves .. .. .	1929	1.2	75	24	0.1
	1932	0.6	85	14	0.3
Cotton Production .. .. .	1929	0.5	80.8	13.9	4.8
	1932	0.5	77.8	14.1	7.6
Aluminum Production .. .. .	1929	14.7	83.8	1.5	0
	1932	21.2	76.8	1.4	0.6
Iron Ore Production .. .. .	1929	3.8	87.3	6.1	4.8
	1932	3.0	76.6	14.4	16
Lead Ore Production .. .. .	1929	5.5	73.3	21.7	0.5
	1932	6.7	73.6	19.1	0.6
Shipping Tonnage .. .. .	1929	17	75	18	0
	1932	17	73	19	1

Electricity kW Production	..	1929	18.2	75	5.5	1.3
	..	1932	18.3	71.7	5.7	4.3
Wood Pulp Production	..	1929	16.1	70.1	12.2	1.6
	..	1932	16.1	71.5	9.3	3.1
Wool Production	..	1929	1.7	63.7	24.3	10.3
	..	1932	1.7	70.1	24.4	3.8
Cotton Spindles	..	1929	14	72	10	4
	..	1932	14	69	11	6
Coal and Lignite Production	..	1929	17	70	10	3
	..	1932	16.5	67.5	10	6
Navy Tonnage	..	1932	26.7	64.5	4.8	4
Foreign Trade (value in gold \$)	..	1929	16	65	18	1
	..	1932	16	64	18	2
Oil Production	..	1929	0.2	70.8	22	7
	..	1932	0.3	63.7	24.2	11.8
Steel Production	..	1929	17	72.9	6.1	4
	..	1932	18.7	63	6.6	11.7
Copper Ore Production	..	1929	5.4	66.1	26.8	1.7
	..	1932	11.7	62.1	22.7	3.5
Tin Production	..	1929	0.5	65	34.5	0
	..	1932	1.5	59	39.5	0
Silk, Artificial, Production	..	1929	35.5	60.8	3.5	0.2
	..	1932	38.2	58.3	3	0.5
Wheat Production	..	1929	10	54	20	16
	..	1932	10	52	17	21
Silk, Raw, Production	..	1929	78.5	1.3	18.1	2.1
	..	1932	87.7	0.5	9.0	2.8



moreover, take considerable time, and it seemed to me this time could in these circumstances be spent more profitably on the conclusions to be drawn from these figures.

It will be noted in Table 11 that in some things, such as the production of automobiles, aluminum, and copper, the Absolutists have increased their percentage from 1929 to 1932 by 50 to 100 per cent, but it still remains a small fraction of that of the Fifteen. In other things, such as gold reserves, the tiny fraction the Three had in 1929 has been halved in the four years, while control by the Fifteen has been accentuated. In most things there has been no great change in the standing of the two groups. The changes that have occurred seem generally to indicate that absolutism thrives better on international chaos than does democracy, but is still very weak, and the Fifteen need only pull together to restore world order and security, and recover quickly what little ground they have lost. Much of the democratic loss and the absolutist gain can be traced to the exceptionally pronounced slump in the United States; this indicates the great importance of the American factor both in pulling down democracy in the world and in restoring it. It is noteworthy, too, that the four years have seen the most general and substantial rise in the Soviet factor, though 21 per cent world control is the highest it yet achieves in any of the essentials measured.

Table 11 gives twenty-five essential measures of power. Of these the Absolutist Trio leads in only one, raw silk, and it is the least important. In only one other thing, artificial silk, does absolutism even approach 40 per cent control. Its next strongest rating is, significantly, in naval tonnage, but here it possesses only 26.7 of the world total. In all the other factors except aluminum production its rating

is less than 20 per cent. In thirteen necessities it runs from 10 per cent to 0.

It is worth particular note, from the viewpoint of war and the enforcement of peace, whether by economic, financial, or military sanctions, that these three 'Great Powers' together rate zero or near zero in such war necessities as rubber, nickel, oil, gold reserves, and cotton, which are overwhelmingly in the hands of the Free Fifteen, and rate less than 2 per cent in tin and wool, and less than 5 per cent in area, and in iron and automobile production.

It may be recalled that President Roosevelt, in his speech before the Woodrow Wilson Foundation, said the threat to what he termed 'the greatest of objectives', world peace, came from the leaders of only 10 per cent of the people of the world. That figure, the table shows, represents precisely the combined population, colonies included, of Japan, Germany, and Italy. By it Mr. Roosevelt drew attention implicitly, whether or not intentionally, to the relative weakness, even when lumped together, of the three Powers whose leaders so often insist the world cannot do without them and who have convinced so many that the League at least cannot. He thus touched, however, only one weakness of autocracy, and he did not hint at the positive side of the picture, the strength of the forces of peace, the power of democracy.

Even without the devastatingly basic feebleness of autocracy for contrast, the strength of the Free Fifteen may astonish many. The Fifteen rise like a colossus above not simply the Absolutist but all the rest of the world, with more than 50 per cent control (both in 1929 and 1932) in every factor except raw silk, man power and land power—and in these last two they nearly have half the world.

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In all but three of the remaining twenty-two factors—tin, artificial silk, and wheat—the Free have by the 1932 rating more than 60 per cent control. In twelve they have more than 70 per cent, in three more than 90 per cent.

Democracy puts its faith in the individual; the following figures on the death-rate of the two groups are significant as showing that freedom produces sturdier men and preserves better human life:

DEATH-RATE PER 1,000

	1929	1932	Decrease, per cent
Free Fifteen .. ..	13·4	12·3	8·5
Absolutist Trio ..	15·9	15·0	5·7

The death-rate in the Free Fifteen is not only lower than in the autocratic group, but it has improved nearly 50 per cent more even during the depression.

Table III indicates the armed power of the Free and the Absolutists. All figures on this subject are bound to be very faulty. Much has been said of the secret armaments of Germany, and there is no doubt she is much stronger than the table indicates. But there is really secret armament everywhere; while Germany has been secretly arming, others have been too. France and others are also much more strongly armed than the table indicates. Bluffing, concealing, lying, so as to fool others into thinking one is stronger or weaker than one really is—this has always been so elementary a principle of military strategy that one must be more or less sceptical of all figures on this subject available at any time. The figures in Table III are taken

from the *Armaments Yearbook* of the League of Nations as being with all their faults the most authoritative, and as still showing closely enough the relative strength of the two groups, each of which has since been increasing constantly. The table shows that the Free are nearly three times stronger in war planes, more than twice as strong in naval tonnage, and nearly twice as strong in soldiers under arms. It suggests that both in army and air force France is the backbone of the defence of democracy (certainly in Europe), as Great Britain and the United States are on the naval side and—as the other tables show—in that decisive factor, potential strength.

It is worthy of note that *per capita* (colonies and dependencies included) the autocracies are not only more heavily armed—and out of all proportion to their wealth—but are increasing their relative burden. Their subjects carry 12 pounds of naval armour to every 7 a citizen of the Fifteen accepts; one man in 207 among them is bearing arms against one in 490 Free men; they have one war plane for every 64,000 subjects against one for every 105,000 citizens. In 1929 they spent \$3.24 a head preparing for war; the Free spent only \$2.50. In 1932 the ratio was \$3 to \$2.18.

Yet in the last analysis it is the Free who are wasting most the time and money and freedom of the citizen to protect his individual liberty. The Fifteen need only agree among themselves to defend together instead of separately their common Bill of Rights against their only enemies, the autocracies, in order to obtain far more than they ever expected to obtain from the Disarmament Conference. They could then reduce their naval tonnage by 1,000,000 tons, their war planes by 2,000, their soldiers by 500,000\*

TABLE III

## ARMED STRENGTH

Navy, Tons (1932)	Warplanes, Number (1931)	Army Effectives (1931-2)	Country (including Colonies)	National Defence Expense* (Millions of gold \$)	
				1929	1932
<i>Free Fifteen</i>					
1,000,300	2,367	137,700	United States	701.3	662.6
558,800	2,375	633,000	France	430.1	471.6
1,105,900	1,630	466,800	Great Britain (including India and main colonies)	666.7	423.3
52,000	321	60,600	Netherlands	78.1	73.2
98,200	533	163,300	Spain	147.4	61.7
—	195	93,200	Belgium	26.6	29.3
82,800	91	25,900	Sweden	37.0	22.5
—	125	170,000	Switzerland	16.3	18.6
4,500	355	6,800	Canada	20.9	12.3

35,800	38	3,500	Australia	21.1	8.1
15,900	78	8,700	Denmark	13.3	8.1
22,700	83	5,700	Norway	10.1	6.7
—	24	6,400	Irish Free State	7.3	5.1
800	38	9,700	Union of South Africa	5.1	3.7
2,700	21	500	New Zealand	4.2	2.0
2,980,400	8,274	1,791,800	Total 15 Free	2,185.5	1,808.8

  

<i>Absolutists</i>					
350,600	1,507	612,200	Italy	262.0	264.4
752,000	1,639	266,200	Japan	228.1	185.2†
126,800	—	100,000	Germany	165.8	152.7
1,229,400	3,146	978,400	Total Absolutists,	655.9	604.3

\* Including army, air force, navy; excluding pensions.

† Decrease due to depreciation; in yen, expense increased 33 per cent. \* Depreciation accentuated decrease for Britain, Spain, etc., which already existed in national currency.

(even with Germany's restoration of compulsory service), and their war expenditure by at least \$600,000,000 a year—and still maintain a two-Power standard against autocracy in the unlikely event that the latter refused to enter into a disarmament treaty, and preferred to try an armaments race with so gigantic a combination.

The war danger to our freedom, however, is still at worst only a threat. The economic danger is already here. How do democracy and autocracy compare in economic and financial factors?

Some evidence has already been given in Table II. It indicates how overwhelmingly the Free Fifteen control the world's most essential raw materials and fuels, its manufacturing resources in such things as steel and cotton, its transportation resources in such things as merchant ships and automobiles. One could extend the list of examples, but it would only emphasize the dominating position of democracy in the fields of production, manufacture, and transportation. One can add that emphasis more easily by pointing out that even these figures understate the power of democracy, for by their capital the citizens of democracies own or control a substantial share of the raw materials, factories, and means of transportation in the rest of the world, including to some extent the absolutist part itself.

Table IV shows the relative financial power of democracy and autocracy, as indicated by the banked wealth of their citizens or subjects. Each Free man averages four times more money in the bank than each subject of autocracy; and the Fifteen together have seven times the bank deposits of the Absolutist Trio. The depression has changed neither ratio. In this field of money saved—and money saved might be called a storage battery of individual freedom

TABLE IV  
BANK DEPOSITS (INCLUDING SAVINGS)

Country	Per Capita (Gold \$)		Total Deposited (Millions of Gold \$)	
	1929	1932	1929	1932
<i>Fifteen Free</i>				
Switzerland	..	826.90	3,307.8	3,440.2*
United States	..	482.60	59,845	47,837
South Africa	..	302.10	543.9	535.7
United Kingdom	..	333	15,313.1	11,844.4
Irish Free State	..	281.80	845.4	682.5
Sweden	..	273.20	1,693.9	1,491.9
New Zealand	..	366	549.1	332.5
Australia	..	390	2,470.5	1,435.6
Denmark	..	305	1,097.9	752
Canada	..	266.20	2,662.1	2,056.2
Norway	..	370.25	1,036.7	529
Belgium	..	129.40	1,060.9	1,205.5*
Netherlands	..	103.40	829.3	887.4*
France	..	74.20	3,116.3	4,078
Spain	..	57.80	1,308	1,058.2
		326.50	95,679.9†	78,166.1†
<i>Absolutists</i>				
Japan	..	97.30	6,325	3,815.5
Germany	..	90	5,819.3	4,934.3
Italy	..	60	2,437	2,637.6
		85.85	14,681.3‡	11,387.4‡

† Partly 1931.

† Decrease 17 per cent.

‡ Decrease 22 per cent.



—Switzerland has more weight than Italy, and *per capita* the Swiss are ten times stronger in banked wealth than the Germans, Japanese, or Italians. Except for Spain, each of the Fifteen is stronger *per capita* in banking power than any of the Three. With the added exception of France and Holland, they are each at least twice as strong. These last two exceptions may be misleading; they reflect the relative hesitancy of the French and Dutch to put their money in banks rather than their financial power. The Fifteen include all the world's creditor Powers, and France and Holland stand high among them. All three of the Absolutists are debtor States. The creditor position of the Fifteen is strikingly shown (in Table 11) by the way their control of the world's gold reserves has mounted from 75.5 to 85 per cent during the depression, while that of the Three has been cut in two, falling from 1.2 to 0.6, and the rest of the world, except Russia, has seen nearly half its gold drawn back by democracy.

Tables v and vi throw light on the trading strength, and especially the buying power, of democracy and autocracy. In the former the figures for the Fifteen are given not only individually but by three groups: the three great democracies, the eight small European democracies, and the four overseas Dominions. This enables their comparative importance to be studied. It shows that the three great democracies alone are more than twice as strong in trade as the three great autocracies. It brings out most of all, perhaps, the strength of the small European democracies. These, when united, pull more weight commercially than Germany, Japan, and Italy combined, particularly as a market.

This market, generally deemed too insignificant even to

be mentioned in most discussions of commercial policy, buys not only more than the autocracies, but more than the British Dominions—and twice as much as Latin America, and more than all Latin America, China, Siam, Persia, Turkey, Portugal, and Eastern Europe put together. It is the world's best market, not because of this, nor because none of the countries in it are in default on private debts, but because its buying power has decreased in the depression less than that of any other group. The best customer is the one that most keeps on buying, and paying when times grow hard. The percentage of world buying power of each of the eight, indeed, has increased during the depression.

Despite all the United States has done by tariffs and anti-European complex to discourage sales in this market, it exported more to the eight in 1932 than to Argentina, Brazil, Chile, Peru, Mexico, and Cuba combined.

Divided, these eight cast little weight for better trading conditions or for democracy; if they stood together they could not be ignored. They would be the greatest power at any conference on world trade.

Table vi is, perhaps, the most illuminating of all. It shows that the Fifteen form not merely the world's but their own best market. Every one of them depends on the other fourteen for the sale of most of its exports. Switzerland is the only one that depends on the autocracies for even 26 per cent of its exports—and it lies between Germany and Italy. Autocracy is even less important as a market to each of the autocracies. Italy alone has less than 50 per cent export dependence on the Fifteen. With three small exceptions, each of the Fifteen sold relatively more within the group in 1932 than when hard times began; the average rose from 72 to 74 per cent, while the importance

TABLE V  
RELATIVE BUYING AND TRADING POWER

	Imports in Gold \$ (In Millions)		Percentage of World Imports		Percentage of World Trade	
	1929	1932	1929	1932	1929	1932
<i>European Democracies</i>						
Netherlands	1,106	524	3.11	3.77	2.78	3.25
Dutch Indies	446	159	1.25	1.15	1.56	1.47
Belgium ..	988	452	2.77	3.26	2.73	3.24
Switzerland	516	332	1.45	2.39	1.34	1.81
Denmark ..	460	205	1.29	1.48	1.30	1.53
Sweden ..	478	212	1.34	1.53	1.40	1.45
Spain ..	528	188	1.48	1.88	1.36	1.24
Irish Free State	293	146	0.82	1.05	0.70	0.84
Norway ..	285	123	0.80	0.89	0.76	0.89
Group	5,096*	2,341*	14.31	16.87	13.93	15.72

*Overseas Dominions*

Canada	..	1,299	399	3.65	2.87	3.68	3.33
South Africa	..	417	168	1.17	1.21	1.27	1.84
Australia	..	706	187	1.98	1.35	1.89	1.71
New Zealand	..	233	78	0.65	0.56	0.72	0.70
		2,655†	832†	7.45	5.99	7.56	7.58

*Big Democracies*

United Kingdom	..	5,407	2,281	15.19	16.43	13.04	13.38
United States	..	4,339	1,330	12.19	9.58	13.83	10.92
France	..	2,282	1,172	6.41	8.44	6.19	7.31.
		12,028†	4,783†	34.79	34.45	33.06	31.61

*Absolutist Trio*

Germany	..	3,203	1,108	9	7.98	9.34	9.29
Japan	..	1,000	395	2.81	2.84	2.87	2.94
Italy	..	1,140	423	3.20	3.05	2.83	2.90.
		5,343\$	1,926\$	15.01	13.87	15.04	15.13

\* Decrease 54 per cent. † Decrease 70 per cent. ‡ Decrease 60 per cent. § Decrease 67 per cent.

NOTE.—Except for the Dutch East Indies, colonies are excluded in this table. That explains why the percentages for total trade differ from those in Table II.

TABLE VI

## DEMOCRACY AS A MARKET FOR DEMOCRACY

This table shows the percentage of exports sold by each of the Free Fifteen to the other fourteen, and also the Absolutist Trio, and the same thing for each of the latter.

Country	Percentage of Exports to			
	Free Fifteen		Absolutist Trio	
	1929	1932	1929	1932
<i>Free Fifteen</i>				
Irish Free State .. ..	97	99	2	0
New Zealand .. ..	95	98	3	1
Union of South Africa ..	85	92	6	4
Canada .. ..	82	82	6	5
Denmark .. ..	72	80	21	14
Belgium .. ..	67	75	16	13
France .. ..	75	72	14	12
Australia .. ..	73	71	19	18
Spain .. ..	66	70	12	13
Sweden .. ..	68	69	18	13
Norway .. ..	66	67	17	17
United Kingdom .. ..	65	65	9	8
Netherlands .. ..	62	64	25	23
United States .. ..	58	58	16	20
Switzerland .. ..	53	52	26	26
Average .. ..	72	74	14	12
<i>Absolutists</i>				
Japan .. ..	71	71	1	1
Germany .. ..	61	62	6	5
Italy .. ..	55	44	12	11
Average .. ..	62	59	6	6

of the Absolutist market sank from 14 to 12. The United States was the only democracy that sold substantially more to autocracy in 1932 than in 1929, the increase being from 16 to 20 per cent. This was due partly to our selling more of such war necessities as cotton and nitrates to Japan at a time when that country needed to stock against the threat of blockade by the League democracies. Even so, the small European eight took 10 per cent of American exports in 1932 against 8 by Japan, and this ratio in more peaceful times, 1929, was 9 to 5.

vi. *Conclusions.*

It appears from these tables that the Mussolinis and Hitlers and Arakis, for all their extreme nationalism, are not the cause of the depression; they are too small a factor in the economic world. It appears that this economic, financial, and monetary world war is really civil war among the fifteen freest peoples, for they control the world in raw materials, manufacturing, transportation, finance, and trade. By using their wealth against each other instead of combining it against Nature, they have each been trying to get for themselves more of the freedom wealth brings. The more wealth they have thus lost the more frantically they have wasted the remainder in the same way. The only creditors able to cause the runs on the schilling, mark, yen, pound, dollar, French franc, Swiss franc, and guilder were the pound, dollar, franc, and guilder nationals; each of these peoples trying to save itself by withdrawing first. The Americans, British, French, Dutch, Swiss, and Swedes called it lack of confidence in Austria or Germany, but it was suspicion by each of them that the others might withdraw first that did most of the damage. The Free peoples talk of their tariffs as pro-

tecting their workmen against foreigners in general, but as they do most of their trade with each other, it follows that they are mainly engaged in protecting Free men not simply against Free men but against their own best customers. When that sends more of them to the bread-line everywhere, they speed that process with quotas or devaluations, always against each other. Similarly, the expensive equalization funds can be directed only by Free men and only against Free men, for the rest of the world has not enough funds to matter. It would seem evident that to end this economic war there is needed only agreement among the Fifteen to quit fighting each other.

The tables tell throughout the same story. It is democracy that brings the individual not only freedom in its narrower sense, but wealth and power; it is autocracy that blights, and blights most those who have most endured it. It is democracy that is curiously under-estimated by those whom it has most benefited; it is autocracy that is vastly overrated.

These figures make the demand of the autocracies for armed 'equality' and League reform appear a boomerang. In armaments Japan wants naval equality with the United States and Great Britain, and Italy and Germany demand army, navy, and air force equality with France, to begin with. All three autocracies complain they are treated in the League as second-class nations, that the small Powers have too much influence, and so on. All three are continually seeking to manœuvre all negotiations on to a basis, whether by direct diplomatic channels, Four-Power Pact, or League reform, that renders ineffective the widespread strength of democracy and brings the three great democracies down to their level. Their demands boil down practically

to eliminating the small democracies from voice in world affairs and giving the autocracies relative superiority in political position over the great democracies that are far stronger than they are.

The fact, however, is that both in armament and diplomatic position the autocracies already enjoy more than they really rate. They are all even now as dangerously over-armed as gunmen, compared to their resources. In the League, in all conferences and in common talk, they each enjoy influence far beyond their weight. In the League they each have the prerogatives, such as a permanent seat in the Council that among democracies only Great Britain and France possess. When conferences get down to small numbers and large business autocracies are always included in the talks of Big Four, Five, or Six, and the secondary democracies are excluded. But the chief basis for the high status of the autocracies inside and outside the peace institution is their destructive power, their armed force. For in population, area, commercial and financial strength, and in the 'responsibilities' which they put forward so often as entitling them to stand with the greatest Powers, there are 'small' democracies that surpass them. It is the democracies that have penalized themselves in their League-to-make-the-world-safe-for-democracy. And it is the Absolutists who, unsatisfied, quit—and have thereby apparently convinced many democratic leaders that the only salvation for their League or their conferences is to coax absolutism to stay or return by conceding it still more diplomatic and armed power. Yet the Free Fifteen have such overwhelming power at their disposal that they have no need to bother whether all the autocracies come or go.

The facts and figures do more than serve the negative



function of exposing wrong diagnosis. They make possible for the Free not only calm diagnosis but scientific diagnosis, and they suggest its urgency. Wrong diagnosis would seem, indeed, to be among the worst dangers to democracy now, and nothing would appear to be more fatal than persistence in wrong diagnosis.

The seat of an inferiority complex is in the mind; the best doctor can never cure it if he starts by diagnosing it as ulcer of the stomach, and he risks killing the patient by his unnecessary operations. Nor can it be safer to keep treating the body democratic for pernicious anaemia, whether with old-fashioned drugs or new patent medicines, when all that ails it is a trifling lack of mental and muscular co-ordination that can be ended with a little common sense and practice.

The fact is that fifteen States together practically own this earth. The fact is that each of these fifteen States was made to assure precisely the same object—the freedom of man, politically, economically, financially, socially, every way. The fact is that these Free people have no one but themselves to fear for their freedom.

United, these Fifteen are, within human limits, almighty on this planet. They are united in cherishing the Rights of Man. But they are not united in maintaining those rights against invasion anywhere in the real land of the Free, which is their common land. They are united in practising the democratic principle of acting by the common free consent of the majority of men, the principle that in the free union of free men there is strength, and peace and freedom too. But they do not practise this principle beyond their borders, even with each other, even to preserve it against those who believe in bullets instead of ballots. United these Fifteen advanced Western peoples are self-sufficing, prosperous,

secure, impregnable, irresistible, almighty. But politically they are not united; and economically and financially they are at war. There, and not elsewhere, is the rub.

vii. *The Cure.*

What I have to say I can now say in very few words. To cure the disease from which we suffer we must begin by making sure of just what that disease is—and the disease we have to cure is disunion among a few democracies. Our immediate problem in world organization is a problem in the organization of these few democracies. If we cannot organize them we cannot organize the rest of the world, and we cannot organize the peoples who believe in co-operation by making their organization depend on securing the co-operation of those who do not believe in co-operation. If we have not yet organized the democracies, it is perhaps because we have never yet tried to restrict the problem to them, to begin with them. We can be sure that if we cannot solve this simpler problem we cannot solve the harder one. But if we do solve this problem, if we can organize these few democracies, then, so powerful would their union be that we can be sure of this, too: we will have solved then for all practical purposes the problem of world organization.



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